



CONSTITUTION

AND INTERNAL REGULATIONS





PUBLIC SERVICES WORKERS' UNION OF TUC (GHANA)

CONSTITUTION AND INTERNAL REGULATIONS

**AS AMENDED AT THE 11TH QUADRENNIAL
DELEGATES CONFERENCE HELD AT THE
PUBLIC SERVICES' UNION CENTRE,
KUMASI**

6TH – 8TH DECEMBER, 2023

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PREAMBLE

We the members of the Public Services Workers' Union of TUC (GHANA),

Recognising that the organisation of workers into trade unions is essential for the promotion and protection of their economic, social and political interests and freedoms in society;

Acknowledging that working men and women are entitled to live and work without discrimination or exploitation;

Convinced that all workers have a natural right to fully enjoy the fruits of their labour and obtain the full reward thereof by united and collective action through trade unions;

Cognisant that the Constitution of the Republic of Ghana recognises and upholds the rights of persons to form and join trade unions of their choice as a fundamental human right;

Realising that it is necessary that a worker has a right to allow the trade union of his choice to negotiate the terms and conditions of his employment as well as to represent him in other concerted activities for the purposes of collective bargaining or other mutual aid or protection;

Aware that the existence of a Constitution to bind and regulate the activities of the Union and members for purposes of attaining our stated objectives and aspirations;

Do hereby adopt, promulgate and give to ourselves this Constitution.

Article 1 – Name, Office and Affiliation

- 1)** The name of the Union shall be the Public Services Workers' Union of the Trades Union Congress (Ghana). Herein referred to as PSWU of TUC (Ghana).
- 2)** The headquarters of the Union shall be at the Hall of Trade Unions, off Barnes and Liberia Roads, Tudu, Accra or such other place as the National Executive Council may from time to time decide, subject to the approval of the Delegates Conference.
- 3)** The Union shall be affiliated to the Trades Union Congress (Ghana)

Article 2 – Registration and Legal Status

The Union shall be a body corporate registered under the laws of the Republic of Ghana

Article 3 – Jurisdiction

- 1)** The jurisdiction of the Union shall cover;
 - a)** The Public Services, including the Civil Service,
 - b)** National, Regional, District or Local Government Authorities,
 - c)** State undertakings, or other bodies engaged in,
 - i.** The generation, transmission and distribution of electricity
 - ii.** Social services
 - iii.** Public and recreational purposes, Statutory corporations,

- d) Public agencies, authorities, boards, commissions, councils, institutes and institutions providing public services, whether private or public,
 - e) Government or SSNIT Pensioners,
 - f) Tourism and Audio-Visual organisations, and
 - g) Such other sectors as the National Executive Council may from time to time consider as falling under its jurisdiction.
- 2) Notwithstanding Article 3 (1) (c)(i), where a dispute regarding jurisdiction arises between the Union and any other union affiliated to the TUC (Ghana), the dispute shall be settled in accordance with the procedure set by the TUC (Ghana) from time to time.

Article 4 – Aims and Objectives

- 1) The objectives of the Union shall be as follows:-
- a) To organise members and to establish internal structures such as Locals, Branches and Divisions and ensure internal democracy in the governance and administration of the Union for the benefit of Members;
 - b) To protect and promote the interest of the Members and to secure united and/or collective action on all issues affecting or likely to affect those interests;
 - c) To assist and enable Members obtain fair remuneration for their labour and to establish and maintain satisfactory, safe and healthy conditions of employment through collective bargaining and/or action;

- d)** To struggle for continuous employment for Members, protect them from oppression and victimisation, and place them on a foundation sufficiently strong to resist any infringement of their rights;
- e)** To negotiate and promote the settlement of disputes and grievances arising between Members and employers or employers' associations arising out of collective bargaining or other relationship;
- f)** To negotiate and promote the settlement of disputes arising between and/or among the Members, Locals, Branches or Divisions by conciliation, mediation or arbitration;
- g)** To provide financial, legal or other assistance to the Members through the Development and Social Services Fund;
- h)** To cooperate with other unions affiliated to the TUC (Ghana) and other organised bodies with like interest towards accomplishing the aims and objectives of the Union;
- i)** To assist in securing the introduction of new legislation and in securing a more efficient application of existing legislation which may affect the general and material welfare of the Members;
- j)** To promote, aid and encourage the establishment of cooperatives and other economic enterprises for the benefit of the Members;
- k)** To safeguard the democratic character of the labour movement and protect the autonomy of the Union and the TUC (Ghana);

- l)** To disseminate educational information to the Members and to instil in them a sense of patriotism and devotion to duty, and to support national efforts at economic and social development through efficient workmanship and maximum productivity;
- m)** While preserving the independence of the labour movement from political control, to encourage the Members to register and vote, exercise their full rights and responsibilities of citizenship, and perform their rightful part in the political life of the communities in which they reside and the nation at large;
- n)** To purchase or by any other means acquire and take options over any property whatever and any rights or privileges of any kind over or in respect of any property;
- o)** To sell, improve, manage, prepare, develop, lease, mortgage, dispose of, turn to account or otherwise deal with all or any part of the property and rights of the Union;
- p)** To invest and deal with the money of the Union not immediately required in such manner as from time to time may be determined and to hold or otherwise deal with any investments made;
- q)** To borrow and raise money and to secure the repayment of any money borrowed, raised or owing in such manner as may be determined by the National Executive Council; and

- r) To do all things that are deemed lawful, as are incidental or conducive to the attainment of the above objects or any of them as may be deemed by the Union to be advisable in the interests of the Members or to be calculated directly or indirectly to the benefit of the Union or any Member;

2) Mission, Vision and Values

- a) The Mission of the Union is “to organize members, promote and protect their economic and social rights and interests”
- b) The Vision of the Union is “to be the leading representative and most dynamic public sector union in Ghana and beyond”
- c) The core values of the Union are Integrity, Solidarity, Excellence, Democracy.

Article 5 – Membership

- 1) The Union shall admit persons as Regular Members, Associate Members or Honorary Members of the Union.
- 2) The Internal Regulations shall prescribe qualifications and procedure for different types of membership of the Union.
- 3) A person shall have, upon becoming a Member, all the membership rights and responsibilities provided under Article 6 and Article 7, respectively.

Article 6 – Membership Rights

- 1) ***Non-discrimination:*** Workers who are eligible for membership of the Union shall not be denied membership on the basis of race, place of origin, political opinion, colour, religion, creed or gender
- 2) ***Freedom of Speech:*** The Union shall encourage and protect active discussion of the affairs and operations of the Union, and to this end, no impediment or obstacle shall be placed on a Member's freedom to speak and express himself on such matters.
- 3) ***Fair and Democratic Elections:*** Members are guaranteed fair and democratic elections, including a right to due notice of nominations and elections, equal opportunity for all competing candidates, and the fair application of the electoral procedures prescribed under the Internal Regulations.
- 4) ***Right to Hold Office:*** Subject to the qualifications provided for in the Internal Regulations in respect of Associate Members and Honorary Members, all Members shall have an equal right to run for and hold office in the Union, subject to Article 14.
- 5) ***Right to Full and Clear Accounting:*** Members shall have the right to full and clear accounting in respect of all the Union's funds at all levels, including periodic reports by the appropriate finance officers and bodies, and periodic audit reports by the Audit Committee and the Auditor.

- 6) *Right of Participation:*** Members shall have the right to full participation through discussion, in the decision-making processes of the Union and to pertinent information required for the exercise of the right. Where by this Constitution, the Internal Regulations or the Constitution or Bye-laws of a Local, Branch or Division, Members are given the right to vote, Members shall have an equal right to vote and each vote shall have the same weight.
- 7) *Right to Due Process:***
- a)** A charge shall not be levelled against a Member or Officer unless that charge is provided for under this Constitution, the Internal Regulations or the Constitution or Bye-laws of a Local, Branch or Division; and
 - b)** A member against whom a charge is laid shall have the right to a fair hearing including the right to call witnesses and to be presumed innocent until proven otherwise.
- 8) *Right of Withdrawal:***
- a)** A Member shall have the right to withdraw from the Union by writing to the General Secretary through the appropriate structures as provided in the Internal Regulations.
 - b)** One shall cease to be a member of the Union if s/he;
 - i.** Suffers a severance of the employment relationship
 - ii.** Become ineligible for membership of his Local as a result of promotion to a class outside the coverage of the Union or transfer outside the jurisdiction of the Union;

- iii.** Retires; or
 - iv.** Enters military service
 - c)** Where a member exercises his or her right under (a) above, the withdrawal shall become effective not later than six (6) months after the notification has reached the General Secretary.
- 9)** Loss of Membership Rights: Without prejudice to any other provision of this Constitution, any Member who, without reasonable justification, fails to contribute financially to the Union in accordance with Article 7 (g) and Article 8 shall lose all membership rights.

Article 7 – Membership Responsibilities

- 1)** In the exercise and enjoyment of the rights provided under or by virtue of this Constitution, it shall be the responsibility of Members to;
- a)** Promote the prestige and good name of the Union;
 - b)** Uphold, defend and respect the provisions of this Constitution, and strive to attain the objects and purpose of this Constitution;
 - c)** Accept the authority and implement the decisions of the Union and its governing bodies;
 - d)** Foster unity within the Union and live in harmony with all Members;

- e) Respect the rights and legitimate interests of other Members, and generally refrain from doing acts detrimental to the welfare of other Members;
- f) Protect and preserve properties of the Union and expose and combat misuse and waste of the Union's funds and property; and
- g) Contribute financially to the Union in the form of Trade Union Subscription, levies or otherwise.

Article 8: Settlement of Disputes

- a) Any dispute, difference or controversy arising at all levels of the Union relating to the interpretation, construction, application or endorsement of this Constitution or the Internal Regulations or to any powers conferred thereby or the exercise thereof, shall be resolved and settled by means of conciliation and mediation or arbitration at that level with a right of appeal to the next level in the National Structure as follows:-
 - i. Local
 - ii. Branch
 - iii. Region
 - iv. National Secretariat
 - v. Management Committee
 - vi. National Executive Council, and
 - vii. Delegates Conference in that order

- b)** Disputes, differences and controversies arising at Divisions shall be resolved by the Division through the appropriate Divisional Structures. Where the dispute, difference or controversy remains unresolved, a right of appeal shall lie first with the National Secretariat and thereafter with the Management Committee, National Executive Council and the Delegates Conference in that order.
- c)** Where the dispute, difference or controversy involves the National Executive Council or the Union as a whole, conciliation or mediation shall be conducted by an ad-hoc Committee appointed by the General Council of TUC (Ghana).

Article 9 – Finance and Audit

1) *Trade Union Subscription:*

Every Regular Member shall contribute two percent (2%) of each monthly salary as Trade Union membership subscription. One half (1/2) of the Trade Union Subscription shall be applied towards that Regular Member's Trade Union Dues, and the other one half (1/2) shall be applied towards Regular Member's contribution to the Development and Social Services Fund.

2) *Associate Membership dues:*

Every Associate Member shall pay Associate Membership Dues at a rate fixed by the National Executive Council, the amount of which in any event shall not be less than fifty percent (50%) of the Trade Union Dues of the lowest paid Regular Member

3) *Levies:*

Without prejudice to any other provision of this Constitution, the Delegates Conference or National Executive Council, as the case may be, may approve proposals imposing a levy on all Members, and all Members shall be required to pay that levy. Branches may only impose levies with the prior approval of the National Executive Council

4) *Check-Off:*

The Trade Union Subscription, Associate membership Dues and all levies shall be paid by "check-off" or any other system of collection which the National Executive Council may deem appropriate.

5) *Union Shop and Closed Shop:*

The Union shall have the right to negotiate for the operation of either a union shop system or a closed shop system within its areas of collective bargaining.

6) *Honorarium and Allowances:*

All honorarium and allowances paid by the Union shall be determined by the Finance Committee with the approval of the National Executive Council, within the provisions of the Internal Regulations.

7) *Application and Investment of Funds:*

All the funds of the Union shall be applied or invested in accordance with the provisions of the Internal Regulations.

8) *Allocation of Development and Social Services Fund:*

The Development and Social Services Fund shall be applied or disbursed in accordance with the provisions of the Internal Regulations.

9) *Audit:*

- a)** The Union shall cause proper books of account to be kept and an income and expenditure account and balance sheet to be prepared and audited, and then circulated and inspected in accordance with this Article.
- b)** The National Executive Council shall appoint a recognised audit institution as the Auditor;
- c)** The Auditor shall audit the accounts of the Union within six (6) months after the close of each Financial Year; and
- d)** The Union shall submit the audited accounts to all Branches, Divisions and Regional Executive Committee, and all Members shall have the right to inspect those audited accounts.

10) *Financial Year:*

The Financial Year of the Union shall commence from 1st January and end on the 31st day of December in each year.

Article 10 - National Structure

The National Structure of the Union shall be as follows:-

- a)** Delegates Conference;
- b)** National Executive Council;
- c)** Management Committee;
- d)** National Officers;
- e)** Finance Committee;
- f)** Audit Committee
- g)** Development and Social Services Fund (DSSF) Committee;
- h)** National Women's Committee
- i)** National Youth Committee
- j)** Regional Councils
- k)** Branches
- l)** Divisions, and
- m)** Locals

Article 11 - Delegates Conference

1) Power:

The Delegates Conference shall be the supreme authority of the Union, and shall have the power to review, revoke or amend the decision of any other body or person in the Union.

2) Regular Delegates Conference:

A Regular Delegates Conference shall be held once in every four (4) years, within three (3) months before or after the fourth anniversary of the last Regular Delegates Conference, and in any event not less than three (3) months before the Congress of the TUC (Ghana).

3) *Business of the Regular Delegates Conference:*

The business of the Regular Delegates Conference shall be to:

- a)** Receive reports from the National Executive Council;
- b)** Receive audited accounts for each year within the quadrennial;
- c)** Review the work of the Union, adopt policies and plan future activities;
- d)** Consider all matters on the Conference agenda prepared by the General Secretary; and
- e)** Elect National Officers (in accordance with Article 14) and the Audit Committee (in accordance with Article 17).

4) *Extraordinary Delegates Conference:*

- a)** The National Executive Council may convene an Extraordinary Delegates Conference as it deems fit.
- b)** Any two-thirds (2/3) of the total number of Branches with a combined membership, through the respective Locals, of at least one-half (1/2) of the total paid-up membership of the Union may requisition an Extraordinary Delegates Conference.
- c)** The requisition shall:
 - i.** State the nature of the business to be transacted at the Extraordinary Delegates Conference,
 - ii.** Be signed by the relevant Branch Chairpersons and Branch Secretaries, and
 - iii.** Be sent to or deposited with the General Secretary or the Deputy General Secretary.

- d) Where an Extraordinary Delegates Conference is duly requisitioned, the National Executive Council, within one (1) month of the date of the requisition, shall fix a date for the Conference, the date of which Conference shall not be later than two (2) months thereafter.
- e) The Extraordinary Delegates Conference shall discuss the matter for which it was requisitioned.

5) *Composition:*

The composition of delegates and observers for the Delegates Conference shall be in accordance with the provisions of the Internal Regulations. However, the National Executive Council may invite other organisations with which the Union or TUC (Ghana) maintains relationship, as well as persons whose attendance the National Executive Council considers desirable, to attend Delegates Conference as observers.

6) *Rules and Procedure:*

The rules and procedure for the conduct of Delegates Conference and for the appointing of Conference Committees shall be in accordance with the provisions in the Internal Regulations.

Article 12 - National Executive Council

1) *Functions and Powers:*

- a)** The National Executive Council shall:
 - i.** Control the affairs and business of the Union in between Delegates Conferences, and
 - ii.** Lay down policies for the conduct of the Union for execution by the National Officers.
- b)** The National Executive Council shall determine any matter relating to the interpretation, construction and enforcement of this Constitution, Internal Regulations and any other matter not specifically covered by this Constitution or the Internal Regulations.
- c)** The decision of the National Executive Council on any matter shall be final and binding, unless reviewed, revoked or modified by the Delegates Conference.
- d)** The National Executive Council may establish standing committees to undertake specific functions or ad hoc committees to deal with particular issues as and when they arise.
- e)** The National Executive Council shall protect the Union against extravagance and misappropriation, and accordingly shall approve
 - i.** All the budgets of the Union, and
 - ii.** Any application by the Union for advances, credits, loans, mortgages or overdrafts whatsoever.

- f)** The National Executive Council shall appoint any Member of the Union to act in the position of a National Officer for the remainder of the relevant term of office in the event of the:
- i.** Resignation, retirement, death or any other form of exit from the Union of any National Officer during the period between Delegates Conference, or
 - ii.** Removal of any National Officer in accordance with the provisions of this Constitution; Except that the Member so appointed shall have been eligible for election to the vacant office under Article 14.
- g)** The National Executive Council may expel, suspend or caution any Member on grounds of gross misconduct against the interests of the Union, subject to the right of such Member to appeal to the Delegates Conference, and the following rules shall apply:
- i.** A National Officer or a member of the National Executive Council or any committee or any other office holder who is suspended as a Member under this Article shall be deemed to have been suspended from his office or any other office or position that he holds in the Union, for the duration of the suspension;
 - ii.** A National Officer or a member of the National Executive Council or any Committee or any other office holder who is duly expelled as a Member shall be deemed to have been duly removed from that office and all other offices or positions that he holds in the Union; and

- iii.** Notwithstanding any provision in this Constitution, if the expelled Member is also the National Chairperson, General Secretary or Deputy General Secretary, the expulsion shall not have effect until ratified by the vote of not less than two-thirds (2/3) of the delegates of an Extraordinary Delegates Conference to be convened in accordance with Article 11 (4) (d), with the necessary modifications.

2) Composition:

- a)** The National Executive Council shall be composed of the following:
- i.** All National Officers
 - ii.** All Regional Council Officers
 - iii.** All National Women and Youth Committee Executives
 - iv.** All Regional Women and Youth Committee Chairpersons
 - v.** Divisional Chairpersons (or his or her representative) in good standing. Good standing in this respect shall include proper renewal of mandate (reorganisation) and auditing of the Division's accounts
 - vi.** All Field Officers and Senior Employees of the Union all of whom shall not be entitled to vote.

- b)** Members of the National Executive Council shall serve a four-year term to coincide with the holding of Regular Delegates Conferences. However, where a NEC member loses the office which made him or her a NEC member, he or she shall cease forthwith to be a member of the NEC
- c)** Where a Regional Council member who serves on the National Executive Council, and who is also a Divisional, Local or Branch Officer, loses his office in the Division, Local or Branch, that person shall continue to serve on the National Executive Council until the end of the relevant term of office of the National Executive Council, but will not be eligible for re-election.
- d)** A person shall not be eligible to be a member of National Executive Council if he/she is under eighteen (18) years of age.
- e)** Where a vacancy occurs on the National Executive Council, the person who is duly appointed or elected to the relevant office, in accordance with this Constitution, shall fill that vacancy.

3) Meetings:

- a)** The National Executive Council shall meet at least once in a year,
- b)** The National Executive Council may invite representatives of Branches and Divisions to attend any of its meetings.
- c)** A synopsis of the meeting of the National Executive Council shall be sent to all Regional Executive Committees within eight (8) weeks of each meeting.

4) *Nominations for TUC (Ghana) Elections:*

The National Executive Council or the Management Committee, as the case may be, shall nominate candidates for the following TUC (Ghana) offices;

- a)** Chairperson;
- b)** Two Vice-Chairpersons, at least one of whom shall be a woman;
- c)** Secretary-General;
- d)** Deputy Secretary-General;
- e)** Members of the Finance Board.
- f)** Women, Youth and any other relevant elective position.

Article 13 – Management Committee

1) *Functions and Powers:*

- a)** The Management Committee shall:
 - i.** Administer the affairs and business of the Union in between meetings of the National Executive Council,
 - ii.** Deal with any matter delegated to it by the Delegates Conference or National Executive Council, and
 - iii.** Be the Management of the Union, and to that extent deal with all staff matters.
- b)** Decisions of the National Executive Council shall bind the Management Committee, and the Management Committee shall have no power to change such decisions.
- c)** Decisions of the Management Committee shall be reported to the National Executive Council.

2) Composition:

- a)** The Management Committee shall be composed of the following:
 - i.** All National Officers,
 - ii.** All Regional Chairpersons,
 - iii.** Two (2) representatives of the National Women's Committee, and two (2) representatives of the National Youth Committee
 - iv.** Three (3) representatives of the Staff Union all of whom shall not be entitled to vote
 - v.** The Chairperson of the Finance Committee as an ex-officio member and shall not be entitled to vote.
 - vi.** The Chairperson of the Development & Social Services Fund (DSSF) Committee as an ex-officio member and shall not be entitled to vote.
- b)** Members of the Management Committee shall serve four (4) year term to coincide with the holding of regular Delegates Conference. However, where a Management Committee member loses the office which made him or her a Management Committee member, he or she shall cease forthwith to be a member of the Management Committee.

3) Meetings:

Meetings of the Management Committee shall be convened by the General Secretary at least twice in each year in consultation with the National Chairperson.

Article 14 – National Officers:

1) *Composition, Joint Functions and Tenure:*

- a)** The National Officers of the Union shall be:
 - i.** The National Chairperson,
 - ii.** National Vice Chairperson,
 - iii.** National Vice Chairperson (Woman)
 - iv.** The General Secretary,
 - v.** The Deputy General Secretary, and
 - vi.** First (1st) National Trustee
 - vii.** Second (2nd) National Trustee
- b)** The National Officers shall together form a board of trustees for the Union and shall have vested in them as a body the funds, as well as the real and personal property of the Union, and shall deal with them as directed by the Delegates Conference or the National Executive Council, as the case may be
- c)** There shall be a regular meeting of all National Officers to be convened by the General Secretary at least four (4) times in a year to review the work of the Union and to formulate policies and programmes of the Union for the approval of the National Executive Council. The National Officers shall see to the implementation of such policies and programmes after their approval by the National Executive Council.

- d)** National Officers shall hold office for a period of four (4) years for two terms only in the same position. They shall however be eligible for re-election into another position.

2) *Eligibility, Nominations, Elections and Term of Office:*

- a)** A person shall not be eligible to be a candidate for or be elected as a National Officer unless he is a fully-paid up Member who:
 - i.** Has held office in a Local, Branch or Division for at least three (3) years;
 - ii.** Is a senior Employee of the Union, and has held that position for at least a period of three (3) years.
- b)** Any Member of the Union wishing to contest for any National Office shall declare his intention by preparing a written profile of his background and his activities in the Union in not more than one thousand (1000) words, and send that profile to the National Secretariat, and that profile shall be part of the Conference documents to be circulated to all Branches and appropriate bodies.
- c)** A candidate for the position of National Officer shall be nominated by at least two Branches.
- d)** All nominations of candidates shall be signed by and endorsed with the names of the Chairperson, Secretary and one Member of the nominating Branch, and shall be forwarded to the Returning Officers in sealed envelopes.

- e) Qualified candidates shall not be impeded from reaching Members and canvassing openly for their support.
- f) The Returning Officers shall compile the nominations, which shall be forwarded to the Election Committee at the Conference.
- g) The election of National Officers shall be carried out by secret ballot at the Regular Delegates Conference.
- h) For the avoidance of doubt, all elected positions in the Union, from National, Regional, Branches, Divisions and Locals shall be limited to two terms of office of four years per each term, unless otherwise stated. Such Officers may however be eligible for election or re-election into another position.
- i) Where at the close of nominations for any position within the Union, only one candidate stands nominated, the candidate shall be deemed to have been elected unopposed without the conduct of elections subject to the relevant provisions in the Internal Regulations

3) *National Chairperson: The National Chairperson shall:*

- a) Preside over all Delegates Conferences and meetings of the National Executive Council, Management Committee and National Officers,

- b)** Be responsible for the proper conduct of business at the Delegates Conference and meetings over which he presides, and shall ensure compliance with the provisions of this Constitution, the Internal Regulations and all other rules and orders of the Union.
- c)** With the General Secretary sign the approved minutes of the Delegates Conference or meetings/over which he presides, and
- d)** Perform all such other functions as are assigned to him by this Constitution, and the Internal Regulations, and from time to time by the Delegates Conference, National Executive Council, Management Committee and the National Officers.

4) *The National Vice-Chairpersons:* They shall

- a)** Assist the National Chairperson in the performance of all functions,
- b)** Perform the functions of the National Chairperson in his/her absence on rotational basis, and
- c)** Perform all such other functions as are assigned to them by this Constitution, and the Internal Regulations, and from time to time by the National Chairperson, Delegates Conference, National Executive Council, Management Committee and National Officers.

5) *General Secretary:* The General Secretary shall:

- a)** Be responsible for the general and day-to-day administration of the Union on full-time basis;
- b)** Be the Head of the National Secretariat and have the power to appoint and terminate the appointment of staff, subject to the right of such dismissed staff to appeal to the Management Committee;
- c)** Engage staff for the Union on the terms and conditions set out in the Collective Agreements entered into between the Management Committee and the Staff Union;
- d)** Be responsible for the financial administration of the Union;
- e)** Conduct the business of the Union in accordance with this Constitution, the Internal Regulations and all other rules of the Union, and carry out the decisions of the Delegates Conference, National Executive Council and Management Committee;
- f)** Record or cause to be recorded the minutes of the Delegates Conference or meetings of the National Executive Council and Management Committee, and shall sign the approved minutes with the Chairperson;
- g)** Have the right to speak and contribute to matters at the Delegates Conference and meetings of the National Executive Council.
- h)** Prepare and submit reports on the activities of the Union to the National Officers, Management Committee, the National Executive Council and the Delegates Conference;

- i)** Be responsible for transmitting the Union's annual returns to the Registrar of Trade Unions or other appropriate person by the prescribed date;
 - j)** Sign cheques and documents of the Union in conjunction with other duly authorised persons, and
 - k)** Perform all such other functions as are assigned to him by this Constitution, and the Internal Regulations, and from time to time by the Delegates Conference, National Executive Council, Management Committee and National Officers.
- 6) *The Deputy General Secretary:*** The Deputy General Secretary shall:
 - a)** Assist the General Secretary in the performance of functions and duties on full-time basis, and perform the functions of the General Secretary in his absence;
 - b)** Have the right to speak and contribute to matters at the Delegates Conference and meetings of the National Executive Council;
 - c)** Have the duty to enliven and sustain the interest of Members by educational, social, recreational and other activities approved by the National Executive Council;
 - d)** Coordinate the organisational work of all regional structures and organise all functions of the Union;
 - e)** Report on his activities to the National Executive Council through the General Secretary, and

- f) Perform all such other functions as are assigned by this Constitution, and the Internal Regulations, and from time to time by the General Secretary, Delegates Conference, National Executive Council, Management Committee and National Officers.

7) *The First and Second Trustees:* The Trustees shall:

- a) Ensure that proper books of accounts are kept by the Union
- b) Ensure that proper accounts are prepared in line with standard accounting practices
- c) Ensure that a record of inventory of all the properties of the Union are kept
- d) Ensure the proper control of funds and properties of the Union and protect them against misappropriation.

8) *Removal of National Officers:*

- a) A National Officer shall be removed from office by a two-thirds (2/3) majority vote of the delegates present and voting at a Delegates Conference.
- b) A National Officer shall be removed from office only on grounds of proven dishonesty, gross misconduct, abuse of office, infirmity of mind or other ill-health or a wilful breach of this Constitution, the Internal Regulations and other duly enacted rules of the Union.
- c) A National Officer shall not be removed from office unless he has been afforded ample opportunity to defend him/herself before the body that has power to remove him/her under this Constitution.

- d) A National Officer who is removed from office shall continue to remain a Member of the Union, unless he/she is expelled as Member in accordance with Article 12(1) (g).

Article 15 – National Secretariat

- 1) There shall be established the National Secretariat of the Union, to be headed by the General Secretary.
- 2) The National Secretariat shall perform such functions and roles as are assigned to it by this Constitution, the Internal Regulations, the Delegates Conference, the National Executive Council, the Management Committee or the National Officers.
- 3) The National Secretariat shall be run in accordance with policies approved by the National Executive Council (NEC).

Article 16 – Finance Committee

1) *Functions:*

There shall be constituted a Finance Committee, which shall:

- a) Be responsible for and oversee all financial matters of the Union,
- b) Lay the budget and financial proposals of the Union before the National Executive Council for approval under Article 12 (1) (e),
- c) Ensure the compilation of all financial returns to the National Executive Council for submission to the Delegates Conference, and

d) Supervise the financial transactions of the Union.

2) *Composition and Meetings:*

a) The Finance Committee shall be composed of the following:

- i.** One Member from each region of Ghana, and
- ii.** The National Officers, who shall serve as ex-officio members with no voting rights.

b) The Finance Committee shall appoint a Chairperson from among its members from the regions.

c) The Chairperson of the Finance Committee shall

- i.** Preside over all meetings, and
- ii.** Attend all meetings of the Management Committee in an ex-officio capacity with no voting rights.

d) The Finance Officer at the National Secretariat shall be the Secretary to the Finance Committee.

e) Members of the Finance Committee shall serve four-year terms to coincide with the holding of Regular Delegates Conference.

f) The committee shall meet at least once in a year

Article 17 – The Audit Committee

1) Functions and Powers:

a) There shall be constituted at each Regular Delegates Conference, the Audit Committee to supervise and check the finances and financial transactions of the Union.

- b)** Members of the Audit Committee, whether acting together or separately, shall have unhindered access to all books, accounts, documents, deeds and certificates of the Union.
- c)** It shall be the duty of the Audit Committee to satisfy itself that all expenditure is reasonable and has been incurred in conformity with the decisions of the Delegates Conference or the National Executive Council, as the case may be.
- d)** The Committee shall present its report to the National Officers for the attention of the Management and Finance Committees.

2) *Composition and Election:*

- a)** Three delegates, each with knowledge in accounting and auditing, and nominated by at least 2 Branches shall be elected by the Delegates Conference as members of the Audit Committee.
- b)** All nominations for the Audit Committee shall be signed by and endorsed with the names of the Chairperson, Secretary and one Member of the nominating Branches, and shall be forwarded to the Returning Officers in sealed envelopes.
- c)** The Returning Officers shall compile the nominations, which shall be forwarded to the Election Committee at the Conference.
- d)** A nominee shall be disqualified from being elected if he has only one nomination.

- e) Members of the Audit Committee shall serve only one four-year term of office. For the avoidance of doubt, members of the Audit Committee are not eligible for re-election.
- f) Where a member of the Audit Committee ceases to act in that capacity for any reason whatsoever during his/her term of office, the vacancy so created shall be filled by the National Executive Council.

Article 18 – The Development and Social Services Fund (DSSF) Committee:

1) *Functions and Duties:*

- a) The Development and Social Services Committee shall in accordance with the provisions of the Internal Regulations:
 - i. Ensure proper management of the Development and Social Services Fund (DSSF), and
 - ii. Operate all funds meant for the DSSF.
- b) The Development and Social Services Committee shall have power, in between meetings of the National Executive Council, to seek financial assistance for the purposes of its work, from banks and financial institutions approved by the National Executive Council, in the name of the Union.
- c) All activities of the Development and Social Services Committee shall be reported to the National Executive Council or the Management Committee, which ever meets earlier.

2) Composition:

- a)** The Development and Social Services Committee shall be composed of
 - i.** One Member from each region of Ghana, and
 - ii.** The National Officers, who shall serve as ex-officio members.
- b)** The Development and Social Services Committee shall elect a Chairperson from among its members from the regions, who shall preside over all meetings and attend all meetings of the Management Committee in an ex-officio capacity with no voting rights.
- c)** The Accounting officer in charge of the DSSF at the National Secretariat shall be the secretary to the Committee.
- d)** The Committee shall meet at least once in a year.

Article 19 – National Women's Committee

- 1)** There shall be established a National Women's Committee with the following structures;
 - a.** Quadrennial Women's Delegates Conference
 - b.** National Women's Committee
 - c.** National Women's Committee Officers
 - d.** Regional Women's Conference
 - e.** Regional Women's Committee
 - f.** Regional Women's Committee Officers
 - g.** Branch Women's Conference
 - h.** Branch Women's Committee
 - i.** Branch Women's Committee Officers

2) *Functions and Duties;*

- a.** The National Women's Committee shall advise the National Executive Council through the General Secretary on:
 - i.** Means to promote the full development of the potential of women in the Union and in their respective workplaces;
 - ii.** Affirmative action programmes for women at all levels of the Union;
 - iii.** Means by which women's contributions in the Union would be recognised, mainstreamed and rewarded;
 - iv.** The collection and dissemination of information concerning women's involvement in the Union, other unions and the public sector, and
 - v.** Any other matters referred to it by the National Executive Council, Management Committee or the National Secretariat.

3) *Composition and Meetings:*

The National Women's Committee shall:

- a)** Be composed of one female member from each region of Ghana;
- b)** Elect a Chairperson, Vice-Chairperson and a Secretary as its officers, two (2) of whom shall attend meetings of the Management Committee; and
- c)** The Gender Officer shall be the Coordinator of the committee.
- d)** Meet at least once a year and submit reports of such meetings to the National Executive Council through the General Secretary.

Article 20: National Youth Committee

- 1)** There shall be established a National Youth Committee with the following structures;
 - a.** Quadrennial Youth Delegates Conference
 - b.** National Youth Committee
 - c.** National Youth Committee Officers
 - d.** Regional Youth Conference
 - e.** Regional Youth Committee
 - f.** Regional Youth Committee Officers
 - g.** Branch Youth Conference
 - h.** Branch Youth Committee
 - i.** Branch Youth Committee Officers

2) Composition:

There shall be established a National Youth Committee composed of:

- a)** A Chairperson and Vice-Chairperson and a Secretary as its officers (at least one of whom shall be a woman), and two (2) of whom shall attend meetings of the Management Committee; and
- b)** The Youth Desk Officer appointed by the General Secretary shall be the Coordinator.
- c)** Meet at least once a year and submit reports of such meetings to the National Executive Council through the General Secretary.
- d)** There shall be youth representation in the Regional Structure, Branches, Divisions and Locals.

3) *Functions / Duties:*

The Committee shall:

- a)** Promote the full development of the potential of the Youth in the Union and in their respective organisations.
- b)** Promote active participation of the Youth in Union activities
- c)** Advise the National Executive Council through the General Secretary on:
 - i.** Areas where the Youth need special services and programmes
 - ii.** Means by which Youth contributions in the Union would be recognised, mainstreamed and rewarded
 - iii.** Any other matters referred to it by the NEC, Management Committee or the National Secretariat.

Article 21 – Regional Structures

1) *Structures:*

- a)** In each region of Ghana, the Union shall establish the following structures:-
 - i.** Regional Delegates Conference;
 - ii.** Regional Executive Committee;
 - iii.** Regional Officers;
 - iv.** Regional Women's Committee.
 - v.** Regional Youth Committee

- b)** The structures in each region shall be responsible for coordinating the activities of Branches and Locals in that region and shall be the pivot of organisational network in that region.
- c)** Each region shall receive quarterly imprest from the National Secretariat to fund the day to day activities of the Union, the amount of which shall be determined by NEC.

2) *Regional Delegates Conference:*

- a)** A Regional Delegates Conference shall be convened in each region not more than nine (9) months prior to each Regular Delegates Conference, to
 - i.** Discuss and review the activities of the Union in that Region;
 - ii.** Measure the progress or otherwise of the Union in preparation towards the forthcoming Regular Delegates Conference;
 - iii.** Draw up various programmes of activities for the coming year;
 - iv.** Elect Regional Officers;
 - v.** Transact any other business that may be deemed to be within the scope of activities in accordance with the general policy established in this Constitution, the Internal Regulations, Delegates Conference, and National Executive Council.
- b)** All Branch Officers in a particular region shall be the delegates to the Regional Delegates Conference.

- c) All serving Regional Council Officers shall have automatic delegate status at Regional Delegates Conference.
- d) The General Secretary or his / her representative shall be the Convener of all Regional Delegates Conferences
- e) Regional Election Procedures: Election's procedures including filling of nominations shall be regulated by the National Secretariat and communicated through the Regional Secretariat to members.

3) Regional Executive Committee:

- a) There shall be established in each region of the Republic of Ghana a Regional Executive Committee to be composed of the following:
 - i. The Regional Council Officers;
 - ii. All Branch Chairpersons and Secretaries in that Region;
 - iii. The Regional Industrial Relations Officer, who shall be an observer,
- b) The Regional Executive Committee shall meet at least once a year and shall submit reports to the National Secretariat.
- c) Regional Executive Committee shall elect a member of the Regional Council to fill a vacancy within the Regional Structure.

4) Regional Officers:

- a)** The Regional Delegates Conference shall elect from among the delegates, the following;
 - i.** A Regional Chairperson;
 - ii.** Two Regional Vice Chairpersons, at least one of whom shall be a woman, and
 - iii.** Two Trustees;.
 - iv.** Regional Women's Committee Chairperson
 - v.** Regional Youth Committee Chairperson:

who, together with the Regional Industrial Relations Officer, shall constitute the Regional Officers

- b)** Regional Officers shall meet at least twice in each year;
- c)** The Regional Industrial Relations Officer shall:-
 - i.** Be the secretary to the Regional Officers;
 - ii.** Head a Regional Secretariat for the purposes of the Union in that region;
 - iii.** Organise and sustain the interest of Members in the region;
 - iv.** Ensure effective participation of the Branches and Locals in the activities of the Regional and District Councils of Labour of the TUC (Ghana)
 - v.** Submit reports on all activities and problems to the National Secretariat, and
 - vi.** Endeavour to settle all local disputes and grievances expeditiously.

5) *Regional Women's Committee:*

- a)** A Regional Women's Committee shall be established in each region, which shall:
 - i.** Organise women in that region;
 - ii.** Ensure the involvement of women in the activities of the Union in that region;
 - iii.** Ensure and offer support for the formation and organisation of Women's Committees in the Locals, Divisions and Branches in that region, and
 - iv.** Make proposals and recommendations to the Regional Councils of Labour of the TUC (Ghana) and the National Women's Committee for consideration.

- b)** The Regional Women's Committee will be composed of representatives from the Branches in that Region, whether or not they are Local Officers.

- c)** The Regional Women's Committee shall elect from among its member, the following as the Regional Women's Committee Officers;
 - i.** A Chairperson
 - ii.** A Vice Chairperson, and
 - iii.** A Secretary
- d)** The Regional Women's Committee Officers shall meet at least once a year.

6) *Regional Youth Committee:*

- a)** There shall be established a Regional Youth Committee composed of representatives from the Branches in that Region, whether or not they are Local Officers.
The Regional IRO shall be an ex-officio member.
- b)** The Regional Youth Committee shall elect from among its members, the following as Regional Youth Committee Officers, (one of whom shall be a woman)
 - i.** A Chairperson
 - ii.** A Vice Chairperson, and
 - iii.** A Secretary
- c)** The Regional Youth Committee Shall:
 - i.** Organise Youth in that Region
 - ii.** Ensure the involvement and active participation of Youth in the activities of the Union in that Region
 - iii.** Ensure and offer support for the formation and organisation of Youth Committees in the Locals, Divisions and Branches in that Region
- d)** The Regional Youth Committee shall meet at least once in a year to review its programmes and activities.

Article 22 – Divisions

1) *Composition:*

- a)** Members working in an organisation either in respect of which the Union has obtained a Collective Bargaining Certificate or which is an area of jurisdiction covered by the Union shall constitute a Division.

Where a Division is not properly constituted, the Head Office Local Officers of such an organisation shall be deemed to be the Divisional Officers and act in that respect for a period not more than four (4) years, during which a regular delegates conference shall be held to elect substantive Divisional Officers. For the avoidance of doubt, where this is not done within the period, the National Secretariat shall have the right to take over the Division to compose an Interim Management Committee (IMC) to work towards the reorganisation.

- b)** Where a Division does not have Locals, the Divisional Officers shall be deemed to be Local Officers, for the purposes of this Constitution.
- c)** For the avoidance of doubt, the Staff Union shall be considered a Division under this Constitution, and notwithstanding any provision to the contrary in this Constitution, members of the Staff Union stationed outside the headquarters of the Union shall be members of the relevant Branches, and shall be deemed to be Local Officers for the purposes of this Constitution.

2) *Divisional Officers:*

- a)** Each Division shall, prior to each Regular Delegates Conference, elect from among the relevant Local Officers, Divisional Officers as follows:
 - i.** A Chairperson who shall preside over the affairs and business of the Division and in conjunction with the Secretary agree on the agenda for meetings;

- ii.** Two Vice-Chairpersons (at least one of whom shall be a woman) who shall assist and deputise for the Chairperson in the performance of his duties;
 - iii.** The Secretary who shall receive and deal with all correspondence, take minutes at all meetings and report on all activities in the Division to the National Secretariat;
 - iv.** The Assistant Secretary who shall assist and deputise for the Secretary in the performance of his duties, and
 - v.** Two (2) Trustees who shall in conjunction with the Chairperson and Secretary sign all cheques of the Division and keep the properties of the Division in their custody.
 - vi.** A Youth Representative who shall organise and ensure the involvement and active participation of the Youth in the activities of that Division and in the Union
- b)** Divisional Officers shall hold office for a period of four (4) years for two (2) terms only in the same position. However, they shall be eligible for re-election into another position.
- c)** Divisional Officers shall have the responsibility to furnish all Locals and the Union with copies of minutes and reports.
- d)** Notwithstanding the provisions in Article 22 (2) (b) the Union shall have the right to remove a Divisional Officer or all the Divisional Officers and organise fresh elections, if such officers are guilty of any offence provided for under Article 14 (8) (b).

3) *Functions and Organisation:*

- a)** Each Division shall establish a Standing (Joint) Negotiating Committee for the purposes of collective bargaining or other negotiations, and the Union shall be represented on this Committee by a representative of the National Secretariat who shall lead the Union side of the Committee, the Divisional Chairperson, Secretary and any number of representatives allowed under the relevant Departmental Central Negotiating Committee.
- b)** Subject to the provisions of this Constitution and the Internal Regulations, Divisions shall enact for themselves bye-laws to be approved by the National Secretariat to regulate their activities. For the avoidance of doubt, provisions of bye-laws must be in conformity with the provisions of this Constitution and the Internal Regulations, and in the event of any conflict, the provisions of this Constitution or the Internal Regulations shall override and nullify the conflicting provision in the Divisional bye-law.
- c)** Each Division shall be responsible for coordinating the activities of its Local and shall undertake to sustain the interest of all members by organising education, social and recreational activities.
- d)** Each Division shall hold annual review conferences to review its work in the relevant year, and submit reports thereon to the National Secretariat.

- e) The Union shall have the right to remove a Divisional Officer(s), all the Divisional Officers, put in place Interim Management Committee (IMC) where applicable or take over and run any Division whose affairs are conducted in breach of this Constitution, the Internal Regulations or the relevant Constitution and by-laws of the Division, or in a manner that, in the view of the National Secretariat, is detrimental to the overall interests of the Union. This shall be made in compliance with the principles of natural justice as spelt out in Article 14(8)(b) of the Constitution.
- f) Each Division shall be composed of the following decision-making structures:
 - i. Divisional Delegates Conference
 - ii. Divisional Executive Council
 - iii. Divisional Officers
 - iv. Regional, Local and any other relevant structures appropriate for the proper functioning of the Division
- g) The General Secretary or his/ her representative shall be present and have the right to speak at all Divisional Conferences, Divisional Executive Councils Meetings and other relevant structural Meetings of a Division

4) Finance:

- 1) Each Division shall receive thirty-two percent (32%) of total Trade Union Dues paid by members of that Division. The method of this payment shall be decided by the National Secretariat.

- 2) Each Division shall cater for its Locals and meet the expenses of such Locals out of its share of the Trade Union Dues.
- 3) Each Division shall spend not less than 50% of its portion of Trade Union Dues on Welfare, Development and Social Services of its members.
- 4) Funds of the Division shall be lodged in a Bank Account and signatories shall be Chairperson, Secretary and the Two Trustees.
- 5) Each Division shall nominate an Auditor for the approval of the National Secretariat on behalf of the Audit Committee, who shall examine the books and accounts of the Division, present a report of findings and recommendations to the Division and send a copy of the report to the National Secretariat.
- 6) The funds of each Division shall be the common property of the Union. Accordingly, should a Division secede or be dissolved in any manner whatsoever, all monies, books and other properties held by that Division shall immediately be taken over by the National Secretariat. Further, the outgoing Divisional Officers shall submit a detailed statement of receipts and expenditure to the Union, and shall be jointly and severally responsible for any irregularities.
- 5) ***Divisional Executive Council (DEC):***
 - a) Composition: there shall be a DEC composed of all Divisional Officers and Regional or location Chairpersons (or their representatives), unless otherwise stated in a Divisional bye-law. The DEC may co-opt other officers or members of the Divisional Union

- b)** The DEC shall meet at least once in a year to:
 - i.** review the activities of the Divisional Union and submit reports to the National Secretariat
 - ii.** take appropriate actions on issues that cannot be deferred until the regular Divisional Delegates Conference.
 - iii.** Receive Audited accounts and approve the Budget of the Divisional Union.
 - iv.** Ensure that the Division complies with the PSWU Constitution and all decisions taken by the relevant structures.
- c)** The General Secretary or his/ her representative shall be present at all DEC Meetings to guide proceedings.

Article 23 – Locals

1) Composition:

Where an organisation in respect of which Members are organised as a Division in accordance with the provisions of Article 22, also has elsewhere in Ghana, a department, industrial unit, branch, subsidiary, office, factory or other presence or place of business, Members employed in such other places of business shall constitute a Local.

2) Local Officers:

- a)** Each Local shall, prior to each election of Branch officers, elect Local Officers as follows:
 - i.** A Chairperson who shall preside over meetings and in conjunction with the Secretary agree on the agenda for meetings;

- ii.** Two Vice Chairpersons (at least one of whom shall be a woman) who shall assist and deputise for the Chairperson in the performance of his/her duties;
 - iii.** The Secretary who shall receive and deal with all correspondence, take minutes at all meetings and report on all activities in the Local to the National Secretariat;
 - iv.** The Assistant Secretary who shall assist and deputise for the Secretary in the performance of his duties, and
 - v.** Two (2) Trustees who shall in conjunction with the Chairperson and Secretary sign all cheques of the Local and keep the properties of the Division in their custody.
 - vi.** A Youth Representative who shall organise and ensure the involvement and active participation of the youth in the activities of that local
- b)** All Local Officers shall attend Branch meetings.
 - c)** Where a Local is constituted by less than six (6) Members they shall constitute themselves into Local Officers for the purposes of this Constitution.

3) *Functions and Organisation:*

- a)** Locals shall ensure membership recruitment within their respective units and ensure that payments to the Union are made by check-off and that such funds are remitted promptly to the National Secretariat.
- b)** Locals shall hold monthly meetings and annual review meetings, Reports of activities in the Local shall be sent to the National Secretariat annually.

- c) The Union shall have the right to take over and run any Local whose affairs are conducted in breach of this Constitution, the Internal Regulations or the relevant Constitution and bye-laws of the Local, or in a manner that, in the view of the National Secretariat, is detrimental to the overall interests of the Union.

4) Finance:

Funds of all Locals shall be the common property of the Union, which shall be catered for by the relevant Divisions in accordance with Article 22 (4).

Article 24 – Branches

1) Composition and Formation:

- a) Locals in a particular geographical location/ area as approved by NEC shall constitute themselves into a Branch.
- b) Branches shall be chartered by the National Executive Council at approved locations in Ghana where membership of the Union exists.

2) Branch Officers and Elections:

- a) A Branch shall elect the following as Branch Officers:-
 - i. A Chairperson who shall preside over meetings and in conjunction with the Secretary agree on the agenda for meetings;
 - ii. Two Vice-Chairpersons (at least one of whom shall be a woman) who shall assist and deputise for the Chairperson in the performance of his/her duties;

- iii.** The Secretary who shall receive and deal with all correspondence, take minutes at all meetings and report on all activities in the Branch to the National Secretariat;
 - iv.** The Assistant Secretary who shall assist and deputise for the Secretary in the performance of his duties, and
 - v.** Two (2) Trustees who shall in conjunction with the Chairperson and Secretary sign all cheques of the Branch and keep the properties of the Branch in their custody.
 - vi.** There shall be established in each Branch a Women Committee and a Youth Committee which shall ensure the active involvement of Women and Youth in the Activities of the Union
- b)** Branches shall once in every four (4) years after the election of the relevant Local Officers but prior to the Regular Delegates Conference, hold a Branch Conference to elect Branch Officers, delegates for the Regular Delegates Conference, in accordance with the provisions of this Constitution and the Internal Regulations.
- c)** Branches shall also elect delegates to each Extraordinary Delegates Conference in accordance with the provisions of this Constitution and the Internal Regulations.
- d)** Where a vacancy occur at Branch Office, the Regional Industrial Relations Officer shall conduct a bye-election to elect a new officer.

3) *Functions and Organisation:*

- a)** Locals shall be represented in the relevant Branches by the respective Local Officers, who shall attend all Branch meetings and Branch Conference.
- b)** Divisional and National Officers living/ working in particular Branches shall be ex-officio members of that particular Branch.
- c)** Branches shall meet regularly each month and submit to the National Secretariat and the relevant Regional Executive Committee, reports and minutes in respect of its meetings, and for the avoidance of doubt, only Local Officers shall attend these meetings.
- d)** Every Branch shall be responsible for coordinating the activities of the component Locals and shall undertake to sustain the interest of all members by organising educational, social and recreational activities.
- e)** Each Branch shall carry out activities as directed by the National Secretariat on behalf of the Union.
- f)** Without prejudice to Article 24 (2) (b), Branches shall hold annual Branch Conferences to review the activities of the Union.
- g)** Subject to the provisions of this Constitution and the Internal Regulations, Branches shall enact for themselves Branch bye-laws, to be approved by the National Secretariat, to regulate their activities.

For the avoidance of doubt, provisions of Branch bye-laws must be in conformity with the provisions of this Constitution and the Internal Regulations; and in the event of any conflict, the provisions of this Constitution or the Internal Regulations shall override and nullify the conflicting provision in the Branch bye-laws.

4) Finance:

- a)** Each Branch shall operate and manage its funds, but the National Secretariat, acting on behalf of the Union, shall have the right to probe the accounts of any Branch and to direct the proper use of such funds.
- b)** Funds of a Branch shall be the common property of the Union.
- c)** Funds of a Branch which are not required immediately for current expenditure shall be invested in such ventures as the Branch may decide.
- d)** Subject to the approval of the Local Officers, a Branch shall pay end-of year honorarium to its Branch Officers. The National Secretariat shall pay honoraria to deserving Branch Officers (who are not serving as Regional Officers) at the end of their tenure.

Article 25 Industrial Disputes

- 1)** Any dispute between members of a Division, Local or Branch and an employer, which is likely to lead to cessation of work shall be immediately reported to the National Secretariat by the Division, Local or Branch Officers, as the case may be.

2) Where:

- a) The parties fail to agree to refer the dispute to voluntary arbitration;
- b) The dispute remain unresolved at the end of the negotiation, mediation or arbitration process, the issue shall be dealt with per the provision of the existing Collective Agreement, Labour Law or any other law in force on the matter, Either party intending to take legal action or issue lockout shall give seven (7) days notice after failure to agree to refer the dispute to voluntary arbitration or the term of the proceedings.

Article 26 – Quorums

Except otherwise expressly provided for under this Constitution, the quorum for any meeting or Conference of anybody established under this Constitution shall be two-thirds (2/3) of the members or delegates with voting rights at that meeting or Conference.

Article 27 – Internal Regulations:

- 1) The Delegates Conference shall hereby enact a body of rules and regulations to be known as the “Internal Regulations” for the purpose of operating this Constitution and to make further provision for the smooth administration of the Union not inconsistent or in contravention of the Constitution.
- 2) The National Executive Council shall have the power to amend the Internal Regulations.

Article 28 – Dissolution

- 1)** The Union shall not be dissolved except with the unanimous consent of eighty percent (80%) of all the members at a referendum.
- 2)** In the event of the Union being dissolved, the assets of the Union shall be liquidated and distributed in order of priority as follows:
 - a)** Firstly, payment of the remuneration of staff of the Union in respect of employment during the whole of any part of the four months preceding the date of the dissolution.
 - b)** Secondly, payment of rates, taxes or similar payments owed to the Republic of Ghana or a local authority which have become due and payable within the year preceding the date of the dissolution
 - c)** Thirdly, payment of all other just debts and liabilities of the Union, and
 - d)** Fourthly, equal distribution among all regular members.

Article 29 – Amalgamations

- 1)** The Union shall be amalgamated with any other Union affiliated with the TUC (Ghana) upon the merger of the undertakings of Union with other Union to form a new amalgamated Union.
- 2)** All real and personal property held by the Union or on its behalf shall be transferred to and vested in the new amalgamated Union.

- 3) On the date of amalgamation, this Union and the other amalgamating Union shall cease to exist, notwithstanding the provisions of Article 28.
- 4) Subject to the rules on jurisdiction under Article 3, the Union may also take over any other union or association, whether or not such union or association is affiliated with the TUC (Ghana).

Article 30 – Amendment

- 1) Any Member may make proposals for the amendment or repeal of any provision of this Constitution.
- 2) A proposal for amendment or repeal shall be submitted to the National Secretariat at least six (6) months before any Regular Delegates Conference or must be stated in full on a requisition for an Extraordinary Delegates Conference.
- 3) Upon receiving the proposal, the National Secretariat will circulate it together with the notice convening the Delegates Conference, as motion for amendment.
- 4) A motion for amendment shall be moved and seconded at a Delegates Conference by the sponsor of the amendment, if he is a delegate. If the sponsor is not a delegate, any delegate or National Officer may move the motion for amendment.
- 5) A motion for amendment shall be debated at the Delegates Conference and shall itself be amendable to amendment by a simple majority of the delegates present and voting.
- 6) A motion for amendment shall be put to vote and shall be deemed to have been passed only where two-thirds (2/3) of the delegates present and voting, vote in favour of the motion.

Article 31 - Oath of Office

Any officer holding elected or other office in the Union under this Constitution shall on election or appointment whatsoever, take the following oath:

I, <name>, solemnly pledge and swear that I shall in my term of office always live up to the aims and aspirations of the Public Services Workers Union of the TUC (Ghana), abide by the Constitution of the Union and all rules and regulations made thereunder. I pledge and swear that I shall never, under any circumstances, divulge any official secrets of the Union to a non-member, betray a colleague, become disloyal to the Trade Union movement as a whole, or use the influence of the Union for my own selfish or personal interest or for advertisement. Otherwise, I do so at the risk of my official status, reputation, honour and fortunes.

Article 32 – Interpretation and Construction

1) Interpretation:

In this Constitution, unless the context otherwise admits or permits, the following words shall have the following meanings:

- “Audit Committee” means the Committee established by the Delegates Conference to supervise and check the finances and financial transactions of the Union in accordance with Article 17;

- “Auditor” means the auditor of the Union appointed in accordance with Article 9 (9);
- “Branch” means the body of Local Officers established under Article 24”
- “Branch Officers” means the officers in charge of Branches, elected in accordance with Article 24 (2);
- “Collective Bargaining Certificate” means a certificate issued by the Registrar of Trade Unions appointing the Union as the appropriate representative to conduct on behalf of the class of employees specified in the certificate, collective bargaining with the employers of such employees, under the provisions of the Labour Act, 2003 (Act 651);
- “Conference Committees” are the committees appointed for the purposes of Delegates Conferences in accordance with the Internal Regulations;
- “Congress of the TUC (Ghana)” means the Delegates Congress of the TUC (Ghana);
- “Delegates Conference” means the supreme body of the Union congregated either as a Regular Delegates Conference or Extraordinary Delegates Conference under Article 11;
- “Development and Social Services Committee” means the Committee appointed under Article 18 to operate the Development and Social Services Fund;
- “Development and Social Services Fund” or “DSSF” means the fund established with Member's contributions under Article 18 ;
- “Division” means the body of Members established under Article 22;

- “Divisional Officers” means the officers in charge of Divisions, elected in accordance with Article 22 (2);
- “Field Officer” means an Industrial Relations Officer who, by virtue of his functions, is designated as a 'Field Officer' by the Union;
- “Finance Committee” means the committee established to perform the functions set out under Article 16;
- “Financial Year” shall have the meaning assigned to it by Article 9 (10);
- “Industrial Relations Officer” means the first level of Senior Employees designated as 'Industrial Relations Officers' by the Union, and excludes other officers of analogous grades within the Union;
- “Internal Regulations” means the body of rules and regulations promulgated by the Delegates Conference to give effect to the provisions of this Constitution, subject to Article 27;
- “Local” means the body of Members established under Article 23;
- “Local Officers” mean the officers in charge of Locals elected in accordance with Article 23 (2);
- “Management Committee” means the committee established to manage the affairs of the Union in accordance with Article 13;
- “Member” means a person duly admitted as a member of the Union in accordance with Article 5 and the Internal Regulations;
- “National Executive Council” means the executive body of the Union established under Article 12;

- “National Officers” means the officers of the Union elected under Article 14;
- “National Secretariat” means the National Secretariat of the Union established under Article 15 and located at the headquarters of the Union or other location approved by the Delegates Conference in accordance with Article 1;
- “National Women's Committee” means the Women's Committee of the Union, established in accordance with Article 19;
- “Regional Delegates Conference” means the Delegates Conference of a Region, convened in accordance with Article 21 (2);
- “Regional Executive Committee” means the executive of a region, established in accordance with Article 21 (3);
- “National Youth Committee means” Youth Committee of the Union, established in accordance with Article 20
- “Regional Youth Committee means” Youth Committee of the Union, established in accordance with Article 21(6)
- “Regional Officers” means officers of a region, elected in accordance with Article 21 (4);
- “Regional Women's Committee” means the Women's Committee in charge of a region, established in accordance with Article 21 (5);
- “Senior Employees” means employees of the Union, from the rank of Industrial Relations Officer and analogous grades, and above;
- “SSNIT” means the Social Security and National Insurance Trust;
- “Staff Union” means the recognised Union of the staff of the National Secretariat'

- “Standing (Joint) Negotiating Committee” means the committee established with Union representation in accordance with Article 22 (3) (a);
- “the TUC (Ghana)” means the Trades Union Congress (Ghana)
- “Union” means the Public Services Workers' Union of the TUC (Ghana).

2) Rules of Construction:

In this Constitution, unless the context otherwise requires, the following rules of construction shall apply;

- a) Words importing the singular include the plural and vice versa;
- b) Words importing any gender include the other gender;
- c) References to a “person” shall include body corporates, partnerships, unincorporated associations, natural persons, sovereign states and agencies or executive bodies thereof;
- d) A reference to a statute, ordinance, code or other law includes regulations and other statutory instruments under it, and consolidations, amendments, re-enactments or replacements of any of them;
- e) References to this Constitution or any other document include the said document as varied or replaced, and notwithstanding any change in the identity of the parties;
- f) A reference to writing include any mode of representing or reproducing words in tangible and permanently visible form, and includes telex and facsimile transmission legibly received;

- g)** An obligation of two or more parties shall bind them jointly and severally, and an obligation incurred in favour of two or more parties shall be enforceable by them jointly and severally;
- h)** If a word or phrase is defined, cognate words and phrases have corresponding definitions;
- i)** A reference to any thing (including, without limitation, any amount) is a reference to the whole or any part of it and a reference to a group of things or persons is a reference to any one or more of them;
- j)** Reference to a month and cognate terms means a period commencing on any day of a calendar month and ending on the corresponding day in the next calendar month but if a corresponding day does not occur in the next calendar month the period shall end on the last day of the next calendar month;
- k)** References to article and annexes are to be construed as references to articles and annexes to this Constitution;
- l)** References to “including” and “in particular” shall not be construed restrictively but shall mean “including, without prejudice to the generality of the foregoing” and “in particular, but without prejudice to the generality of foregoing” respectively, and
- m)** The Table of Contents and headings are inserted for convenience only and shall be ignored in construing this Constitution.



INTERNAL REGULATIONS



2023

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INTERNAL REGULATIONS

In compliance with Article 27 of the Constitution of the Public Services Workers' Union of TUC (Ghana), these amended Regulations were adopted at the 11th Quadrennial Delegates Conference held at the Public Services' Union Centre, Kumasi from 6th – 8th December, 2023

Part 1 – Membership

1) *Membership of the Union*

- a)** All Staff covered by a Collective Agreement negotiated by the Union or that fall under the Collective Bargaining Certificate issued by the Chief Labour Officer, or Unionized Workers by the Union shall be members of the Union.
- b)** Notwithstanding the provisions above, a member shall have the right to opt out, using the stated procedures for exercising such a right.

2) *Types of Membership*

a) Regular Membership

- i.** A regular member is one who has fulfilled all of the conditions in Part 1 (I), pays all prescribed subscription (2% of basic pay) and other levies.
- ii.** He/She must be a regular salary/wage earner.

b) Associate Membership

- i.** Associate membership is opened to all temporary workers, Pensioners, self-employed, workers outside Union coverage and Associations
- ii.** Dues and other contributions/levies for associate members are concessionary and shall be determined from time to time by the National Executive Council.

- iii.** Associate members shall not hold offices in the Union.
- iv.** The National Executive Council shall from time to time determine the number of observers to the National Delegates Conference.
- v.** Associate members are to attend the delegate's conference as observers.

c) *Honorary Membership*

- i.** Honorary membership may be conferred on any person or person(s) who have ceased to be employed in the Public Service by the PSWU in recognition of services rendered.
- ii.** Persons shall not be eligible, unless they have had at least fifteen (15) years' membership of the PSWU or have had a minimum of fifteen (15) years' employment with the PSWU.
- iii.** Loss of Honorary membership, if an honorary member is proven to be working against the interest of the Union he/she may be deprived of his/her membership.

d) *Political Neutrality of Officers and Officials of the Union*

- i.** No PSWU Staff or Office Holder of the Union at the National, Regional or Divisional level shall hold office in a political party, address any rally organised by a political party, or contest any position in a political party.
- ii.** No funds of the Union whether at National, Regional, Branch or Divisional shall be used to support the activities of a political party.
- iii.** A person who violates this provision shall be sanctioned by the National Executive Council (NEC).

Part 2 – Finance

1) *Apportionment of Dues/Other Levies:*

- a.** Trade Union subscription shall be the equivalent of two percent (2%) of the member's basic monthly pay, representing Trade Union dues of one percent (1%) and the Development and Social Services Fund of one percent (1%). Put together, their distribution shall be as follows:
- TUC (Ghana) – 15%
 - PSWU – 53%
 - Divisions – 32%

b. *Trade Union Dues:*

Trade Union dues shall be disbursed as follows:

- i.** National Union - 56% (Fifty-six percent)
- ii.** TUC (Ghana) - 30% (Thirty percent)
- iii.** Divisions - 14% (Fourteen percent)

c. *The Development and Social Services Fund*

The DSSF contribution shall be distributed as follows:-

- i.** Projects, Education, meetings, etc. - 50%
- ii.** Divisions - 50%

2) *Benefits from the Development and Social Services Fund*

- a)** Benefits shall be as outlined in the handout for the DSSF in respect of development projects, social and cultural services such as:
- i.** A Solidarity Fund for any unfair labour action, industrial or trade dispute
 - ii.** A Legal Service

3) *Honorarium and Allowances*

- a)** Any Officer whose duties call for part-time national service on behalf of the Union may be paid an honorarium, which shall be determined by the Finance Committee for the approval of the National Executive Council.
- b)** Any Full-Time or Part-Time officer who receives a salary or regular monthly allowance shall not be entitled to a sitting allowance.
- c)** The Union shall adequately reward National and Regional Council Officers after each term of office.

4) *Travelling and Transport Expenses*

- a)** The travelling expenses of those attending the Delegates Conference or other Conferences or Regional Councils and Committee meetings of the Union shall be borne by the National Union.
- b)** All self-accounting Divisional Unions shall bear the travelling and transport expenses of their direct representatives.
- c)** Except officially certified as observers by the National Secretariat in accordance with the Constitution, the travelling and transport, boarding and lodging expenses of all other Observers from Branches and Divisions attending Conferences, Regional Councils and meetings of the Union shall be borne by their respective Branches and Divisions.

5) *Allocation of Funds*

- a)** All Branches shall receive a quarterly imprests based on the following:-
 - i.** Up to 100 members
 - ii.** 101 to 500 members
 - iii.** 501 to 2000 members
 - iv.** 2001 to 4000 members
 - v.** 4001 and above members
- b)** The quarterly imprest shall be reviewed yearly using the prevailing rate of inflation.
- c)** The Branches and Divisions shall submit quarterly financial statements to the National Secretariat. The funds of every Branch and Divisions shall be the common property of the Union

6) *Bank Accounts and Mandatory Signatories*

The Union shall operate any account with any bank as and when it deems it necessary and shall have as authorized signatories to such accounts, the following:

- a)** National Chairperson/National Vice-Chairperson(s)
- b)** The General Secretary/ Deputy General Secretary; and
- c)** Any one of the two (2) National Trustees.

Part 3 – Composition of Conference

- 1)** In compliance with provisions of the Constitution, persons entitled to attend meetings of the Conference shall include the following:
 - a)** Accredited Delegates and Observers from Branches
 - b)** The Divisional Chair or his/ her representative from each Division

- c) All Regional Council Officers
- d) All National Officers
- e) All Branches shall be entitled to representation at the Delegates or Extraordinary Conference in accordance with their paid up membership based on the following schedule;

- i. Up to 250 : 1
- ii. 251-500 : 2
- iii. 501-750 : 3
- iv. 751 – 1000 : 4
- v. 1001 – 1250 : 5
- vi. 1251 – 1500 : 6
- vii. 1501 – 1750 : 7
- viii. 1751 – 2000 : 8
- ix. 2001 – 2500 : 9
- x. 2501 – 3000 : 10
- xi. And one further delegate for each additional 500 members.

f) *Observers:*

- i. Branches may send Observers to the Conference as set forth as follows, but in no case exceed the number of Delegates:
 - 100 – 500 : 1
 - 501 – 1000 : 2
 - 1001 – 2000 : 3
 - 2001 – 3000 : 4
 - 3001 – 4000 : 5
 - And one further observer for each additional 1500 members

- ii.** The host Branch shall be entitled to attend with additional observers to be determined by the National Executive Council;
- iii.** Provided any of the following have not been elected as delegates by their respective branches.
 - Regional Officers
 - Standing Committee members
- iv.** A Female Activist nominated by each Regional Women's Committee shall attend the Delegates or Extraordinary Conference as Observers with one representative each.
- v.** A Youth Activist nominated by each Regional Youth Committee shall attend the Delegates or Extraordinary Conference as Observer.
- vi.** Associate Members shall be entitled to be represented by an Observer.

Part 4 – Convening of Conference

- 1)** The National Executive Council shall fix the date and venue for the Conference.
- 2)** The Regular Delegates Conference shall be held once in every four (4) years that is; three (3) months before or after the date of the previous Regular Delegate's Conference, otherwise, it shall be held three (3) months to precede the Congress of TUC (Ghana).
- 3)** Resolutions for discussions at the Delegates Conference, motions for the amendment of the Constitution shall be sent by the Regional, Branch or Divisional Unions to the General Secretary not later than eight weeks before opening of the Conference.

- 4) The General Secretary shall prepare the agenda of the Conference including Resolutions, Reports on Activities of the Union, motions for the amendment of the Constitution and shall forward it to the Branches not later than four weeks before the opening of the Conference

Part 5 – Officers and Officials of Conference

- 1) The Officers of the Conference shall be the National Officers who are;
 - a) The National Chairperson
 - b) The two (2) National Vice Chairperson(s) (at least one of whom shall be a woman)
 - c) The General Secretary
 - d) The Deputy General Secretary
 - e) The two (2) Trustees
- 2) The General Secretary shall be Secretary to Conference.
- 3) The Chairperson of the National Union shall preside over the Conference or in his/her absence during a sitting or any part thereof, any of the Vice-Chairpersons shall conduct the business of that particular meeting.
- 4) In the absence of the Chairperson any of the (2) two Vice-Chairpersons shall conduct the business of the meeting.
- 5) Officials of Conference shall be persons holding positions of Industrial Relations Officers and above or analogous grades.

Part 6 – Sessions of Conference

All plenary sessions of Conference shall be open to all participants except otherwise decided by Conference, however Committee meetings shall be held in camera.

Part 7 – Committees of Conference

- 1)** At every Conference there shall be a
 - a)** Credentials Committee
 - b)** Standing Orders Committee and where necessary, the following committees shall be formed:
 - c)** Constitution Committee
 - d)** Elections Committee
 - e)** Resolutions Committee

- 2) *Credentials Committee***
 - a)** The Credentials Committee shall consist of ten (10) members one from each region and shall be elected by the Regional Delegates attending the Regular or Extraordinary Delegates Conference on the Conference premises on the day of arrival and the name shall be communicated to the Returning Officers after the confirmation.
 - b)** The Credentials Committee is entitled to request from the General Secretary and from any Delegate to the Conference information needed for the discharge of their duties or evidence bearing on the legitimacy of a Delegate's credentials.
 - c)** The Credentials Committee shall:
 - i.** Prepare lists of persons attending the Regular or Extraordinary Delegates Conference
 - ii.** Report to the Delegates or Extraordinary Delegates Conference on the voting power of the constituent Branches.
 - iii.** Consider any objections to the Credentials of members.
 - iv.** Make appropriate recommendations.

- d) The National Secretariat shall make available to the Credentials Committee the current list of Branch Officers
- e) Objections raised to the sitting of any member shall be submitted to the Credentials Committee. Pending final decision by the Delegates or Extraordinary Delegates Conference on his admission, any member to whose sitting, objection has been raised shall enjoy full rights as a member.
- f) Delegates/Observers shall hand over their credentials to the Returning Officers who shall submit them to the Credentials Committee.
- g) The report of the Credentials Committee shall be considered by the Delegates or Extraordinary Delegates Conference as the first item on the Agenda or execution at the Business session. No vote on any issue or election shall take place until the Conference has dealt with the report and recommendations of the Credentials Committee.

3) *The Standing Orders Committee*

- a) The Standing Orders Committee shall consist of ten (10) members, one from each region elected by the Delegates or Extraordinary Delegates Conference.
- b) The Standing Orders Committee shall:
 - i. Fix the time for plenary sittings
 - ii. Consider the provisional agenda drawn up by the Conference Secretariat and recommend a final agenda for the Delegates or Extraordinary Delegates Conference.
 - iii. Consider the Standing Orders and report on them to the Delegates or Extraordinary Delegates Conference.

- iv.** Make proposals relating to the setting up, the size, the question to be dealt with and the terms of reference of the Delegates or Extraordinary Delegates Conference.
- v.** Make proposals with respect to any motions or resolution not embodied in the printed agenda of the Delegates or Extraordinary Delegates Conference.
- vi.** Act as scrutineer throughout the Conference
- vii.** Ensure that no literature or printed matter other than official Delegates or Extraordinary Delegates Conference documents may be circulated to the Delegates or Extraordinary Delegates Conference precincts without their prior consent.

4) *Constitution Committee*

- a)** The Constitution Committee shall consist of ten (10) members, one from each region and shall be elected by the Conference.
- b)** The Constitution Committee shall:-
 - i.** Examine all amendments to the Constitution as in existence or proposed – submitted by the various Branches, Divisions, Regional Councils, and National Secretariat.
 - ii.** Examine all resolutions and motions affecting the Constitution or any other matter relating to the Constitution.
 - iii.** Make appropriate recommendations to the Conference for consideration.

5) Elections Committee

- a)** The Elections Committee shall consist of ten (10) members, one from each region and shall be elected by Conference. It shall receive the nominations from the Branch Secretary and a member of the Branch.
- b)** The National Secretariat shall make available to the Election Committee the current list of Branch Officers.
- c)** The Election Committee shall be charged to:
 - i.** Examine all nominations submitted by the various Branches. The nominations shall be signed by the branch Chairman, Secretary and a Member in accordance with Article 14 (2) (d).
 - ii.** Make sure that none of the nominations so submitted is tampered with, deleted or changed in any form.
 - iii.** Report in accordance with the Constitution on all Nominations whether they were properly filed.
 - iv.** To decide on all matters of security which are relevant to the proper performance of the elections, that is,
 - Ballot Box (es)
 - Ballot papers
 - Method of voting
 - Counting of Ballot Papers
 - v.** Make appropriate recommendations.

6) Resolutions Committee

- a)** The Resolutions Committee shall consist of ten (10) members, one from each region and shall be elected by the Regular or Extraordinary Delegates Conference.
- b)** The Resolutions Committee shall:
 - i.** Examine all resolutions and items submitted to the Conference from the National Secretariat, Branches, Divisions and Regional Councils of the PSWU.
 - ii.** Compile final draft resolutions for the consideration of Conference

Part 8 – Returning Officers for Conference

- 1)** The last National Executive Council meeting before the Delegates or Extraordinary Conference shall appoint two (2) Returning Officers – one from the Labour Department and the other from the Electoral Commission who shall be charged to receive Nominations and Credentials from Branches, Delegates/Observers attending the Conference.
- 2)** The Returning Officers shall see to the setting up of their Secretariat on the arrival of delegates a day prior to the official opening of the Conference
- 3)** They shall submit their reports and all the necessary documents to the Credentials and Elections Committee.
- 4)** They shall be responsible for the smooth orderly and fair elections and submit their report to the Registrar of Trade Unions and the responsible Ministry for Labour matters with two (2) copies to the National Executive Council of the Union.

Part 9 – General Provisions Concerning Committees

- 1)** The following shall be entitled to attend such Committee meetings:
 - a)** Members duly appointed to such a Committee by the Delegates or Extraordinary Conference
 - b)** An advisor nominated by a member serving on the Committee; such persons shall neither have the right to take part in the debates nor to vote.
 - c)** Staff members appointed by the General Secretary

- 2) A Committee dealing with an issue emanating from a Constituent Branch or Divisional Union not represented on the Committee may invite representative from such Branch or Divisional Union to attend the Committee sitting (s) during the discussion of that item.
- 3) During Conference, the Committee set up shall report in the following order:
 - 1) Credentials Committee
 - 2) Standing Orders Committee
 - 3) Constitution Committee
 - 4) Resolutions Committee
 - 5) Elections Committee
- 4) Each Committee shall elect its Chairman and Rapporteur, and the General Secretary shall appoint the Secretaries to each of the Committee.

Part 10 – Voting Procedures And Election Of Candidates

- 1) Subject to the provisions of the Constitution and Internal Regulations of the Union, where at the close of nominations and on the day of election:
 - a) two or more candidates have filed or been nominated, the election shall be held and the candidate who receives the largest number of votes cast shall be declared elected; or
 - b) only one candidate is nominated, there shall be no election and that candidate shall be declared elected unopposed.

- 2) Where at the close of nominations, but before the election, one of the candidates dies or become ineligible for the position nominated, such that only one candidate remains, a further period shall be allowed for nominations before elections or the procedures as adopted by the Conference shall apply.
- 3) Where at the close of the further nomination period only one candidate stands nominated, there shall be no election and that candidate shall be declared elected unopposed.
- 4) All elections within the Union shall be held by secret ballot unless otherwise stated or agreed upon.
- 5) Immediately after the close of elections, the Authorized Officer conducting the election shall, in the presence of all interested candidates, their representatives or agents, proceed to count the ballot papers and declare the results of the elections.
- 6) The National Secretariat, in consultation with the appropriate stakeholders may issue further guidelines for the effective conduct and supervision of Elections within the Union

Part 11 – Conditions of Service for Full-time Elected National Officers

- 1) A Committee of seven (7) members drawn from;
 - a) Part-time National Officers - 3 members
 - b) Regional Chairpersons - 4 membersTo draw up Conditions of Service of Elected Officers shall be appointed
- 2) The Conditions of Service that shall be drawn up shall be subject to review every two years, excluding salaries, which shall be reviewed annually.

Part 12 – Rules of Procedure

- 1)** A Standing Orders Committee shall be appointed to direct the conduct of the business of the Delegates Conference. The General Secretary shall be the advisor to this Committee.
- 2)**
 - a)** The Business of the Delegates Conference shall be taken in the order as appearing on the agenda prepared by the Secretariat, subject to the recommendation of the Standing Orders Committee and of the Conference.
 - b)** All the sessions of Conference shall be open to all participants except otherwise decided by Conference.
However, Committee meetings shall be held in camera.
- 3)** Notice of motions and business items from Divisions, Branches and Locals shall be sent to the Delegates Conference at which they are to be discussed. Such business items and motions shall be placed on the agenda in that order as they are received by the General Secretary. Emergency motions may be included after the opening of the Conference, subject to the approval of the majority at the Conference.
- 4)** The working language of the Regular Delegates Conference shall be ENGLISH, except otherwise decided to be allowed to speak through an interpreter.
- 5)** The mover of any motion but not a seconder shall have the right to reply but no other delegate shall be allowed to speak more than once on the same question, unless permission be given to explain, or on a point of order. The motion shall be put immediately the mover has replied.

- 6) If any amendment be carried, it shall displace the original motion and itself become the substantive motion, therefore any amendment may be moved thereto.
- 7) When an amendment is made to an original motion, no second amendment shall be discussed until the first amendment is disposed off.
- 8) When the delegates consider a subject has been sufficiently discussed, the motion may be proposed “that the question be now put”. If that proposition is carried, the National Chairperson shall give the mover of the original motion the opportunity to reply after which the motion under discussion shall be immediately put to vote.
- 9) During the debate, a point of order must be raised immediately any irregularity is noticed, by addressing the substance of the matter under consideration. It may be raised on such grounds as:
 - a) Lack of quorum
 - b) Irrelevancy of Speakers remarks
 - c) Personal conduct of speaker
 - d) Disregard of Standing Orders
 - e) A question previously decided

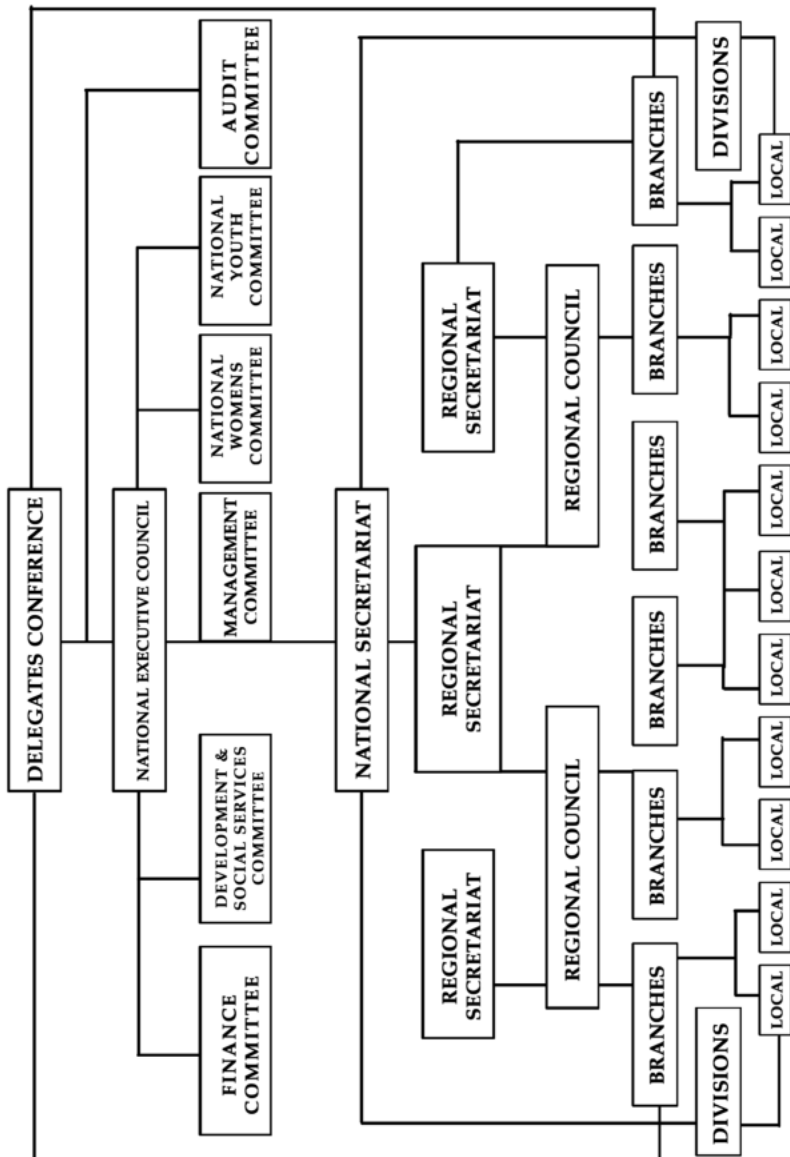
The ruling of a Chairperson on a point of order is final unless a motion of dissent is moved and the Chair shall immediately put the motion to vote and the motion if carried will reverse the ruling from the Chair.

- 10) In the event of voting being equal, the National Chairperson will ask the whole session to recess to allow manoeuvring. In case after the recess the vote being still equal, the National Chairman shall have the right to exercise a casting vote.

- 11)** No resolution passed by the Delegates Conference or the National Executive Council or the Management Committee shall be rescinded or amended at the same meeting at which it was passed, except that the next Conference or meeting of the National Executive Council or Management Committee and by the consent of two-thirds (2/3) of the Delegates or Committee members present when it was passed.
- 12)** The quorum shall be formed by the simple majority of accredited delegates. No delegate shall speak during debate unless authorized by the Chairperson, who may grant the floor according to the order of list of speakers. He may call to order any speaker who deviates from the matter under discussion.
- 13)** Where the Conference Chairman calls a delegate to order, he shall resume his seat until the point is decided. Speeches and motions shall be limited to a maximum duration of three minutes and five minutes respectively.
- 14)** Any delegates may propose the closure of debate on a matter, which has been adequately discussed. Two delegates each shall be allowed to speak for and against the motion. The motion shall be considered accepted if it is adopted by a simple majority.
- 15)** In the course of the consideration of any matter, a delegate may move the suspension or adjournment of the meeting or the debate on the matter. No discussion shall be allowed on such a motion which shall immediately be put to vote.

- 16)** The following motions shall be in the order indicated, have precedence over any other proposal or motion raised at the Conference.
- a)** Suspension of the sitting
 - b)** Adjournment of the sitting and
 - c)** Closure of debate on the matter under consideration.
- 17)** Any delegate may for a stated purpose move for the suspension of the Standing Order. The motion on being seconded shall be forthwith put to the Conference without debate or amendment and if two-thirds (2/3) of delegates present vote in favour, the motion for suspension shall immediately take effect.
- 18)** No delegate shall leave the conference room without the permission of the National Chairperson or the Vice-Chairpersons.
- 19)** Voting shall be taken by raising the hand, but any delegate may request a Roll-call vote, which shall be taken by Branch delegates, region by region. The vote shall be secret if the Conference so determined by simple majority.
- 20)** The National Chairperson reserves the right, subject to majority decision to suspend any delegate who in his opinion misconducts him/herself and thereby stifles the smooth working order of the Conference agenda.
- 21)** Motions and Resolutions requiring immediate implementation of adopted amendments shall receive two thirds (2/3) votes of delegates present.

STRUCTURE OF THE PUBLIC SERVICES WORKERS' UNION OF TUC (GHANA)





CONSTITUTION