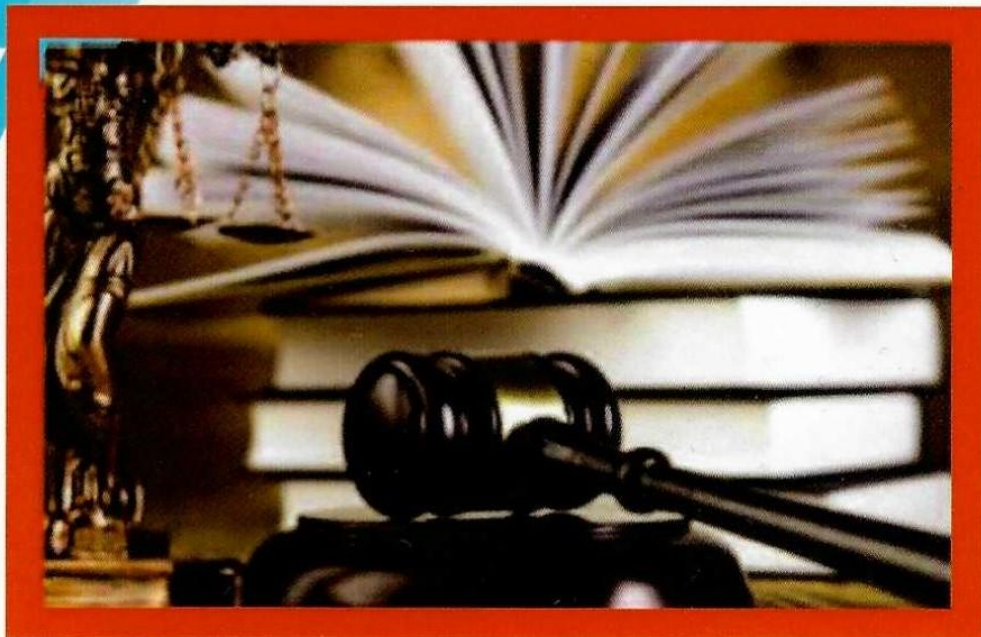




## **UNION OF INDUSTRY, COMMERCE AND FINANCE WORKERS**



# **CONSTITUTION**



## CONSTITUTION

# **UNICOF CONSTITUTION**

**THE CONSTITUTION OF THE UNION OF INDUSTRY, COMMERCE AND FINANCE  
WORKERS (UNICOF) OF THE TRADES UNION CONGRESS (GHANA)**

**AS AMENDED AT THE**

**5<sup>TH</sup> QUADRENNIAL DELEGATES CONFERENCE**

**HELD AT THE**

**PENTECOST CONVENTION CENTRE, GOMOA FETTEH**

**FROM 11<sup>TH</sup> – 13<sup>TH</sup> JULY, 2024**

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## **PREAMBLE**

### **WHEREAS:**

**THE** organisation of workers into Trade Unions is essential for the Economic, Social and Political independence of any society and also for the effective and successful functioning of Democracy, providing a framework for the protection of the rights of workers to live and work without discrimination, suppression or exploitation; and

**WORKERS** have a constitutionally guaranteed right to Freedom of Association, including the right to self-organisation and the designation of their representation to negotiate the terms and conditions of their employment, free from interference, restraint or coercion by employers or their agents, in the exercise of their rights for the purpose of Collective Bargaining or other mutual aid and protection; and

**THE** natural right of those who labour is to enjoy to the fullest extent the fruits of their labour;

**AND** since it is impossible to obtain the full reward of labour except by united action through organisation founded upon sound principles along economic, co-operative and industrial lines,

**WE**, the workers within the jurisdiction of Industry, Commerce and Finance (UNICOF) agree to form a Trade Union and hereby enact and adopt for ourselves this Constitution and pledge to stand united by the principles set forth herein.

## **ARTICLE 1- NAME, OFFICE AND MEETING PLACE/FORM**

### **1.1 Name**

The organisation constituted by this Constitution shall be known as the Union of Industry, Commerce and Finance (UNICOF) hereinafter called the “National Union”.

### **1.2 Office**

The National Secretariat of the National Union shall be in Accra, and its address shall be PMB 062, Accra-North (post office), Number 18 South Liberia Link, Adabraka (Residential), GA-075-2402 (Digital) or any other place as the National Union may decide from time to time.

### **1.3 Meeting Place/Form**

The meeting place of the National Union shall be its National Secretariat in Accra, or any other place or form as may be decided by the National Executive Council.

## **ARTICLE 2 - PRINCIPLES**

### **2.1 Duty to Organise**

We declare it to be the duty of all persons employed within the jurisdiction of the National Union to engage in self-organisation and other concerted activities for mutual aid and protection in order to improve their wages and working conditions.

### **2.2 Compensation**

We hereby pledge ourselves to assist one another in securing a reasonable compensation for services rendered to our employer(s) and to use our influence with other organised bodies to assist us in accomplishing this objective.

### **2.3 Education**

- (a) We shall endeavour, to the best of our ability, to disseminate useful information by means of seminars, symposia, pamphlets and other educational literature among Members to enhance their knowledge base.
- (b) The National Union commits itself to encourage members to climb up the educational ladder and support them in that regard.

### **2.4 Employment Security**

It shall be our duty to safeguard the employment of our members.

### **2.5 Health and Safety**

It shall be our duty to ensure that all health and safety measures at workplaces and those required by local, national and international laws for the welfare of workers are adhered to.

## **ARTICLE 3 - OBJECTIVES**

The objectives of the National Union shall be:

- 3.1 To establish and conduct Local and Branch Unions and Regional Councils of workers engaged in the services which, fall within the jurisdiction of the National Union.
- 3.2 To organise the Informal Sector workers.
- 3.3 To obtain and maintain fair, just and appropriate remuneration, hours of work and other conditions of employment for its members.
- 3.4 To unite workers within the jurisdiction of the National Union; to cultivate friendship and to assist each other.
- 3.5 To help promote suitable educational training and social facilities for members.

- 3.6 To promote the interests of members and any organisation with similar objectives and to secure united action on issues affecting or likely to affect those interests.
- 3.7 To process grievances and enforce the legal rights of members of the National Union as well as other rights arising out of the Collective Bargaining relationship.
- 3.8 To provide legal advice or legal assistance to members in connection with their employment when the National Union deems it expedient.
- 3.9 To regulate the relations and to settle disputes between employees and employers whenever possible.
- 3.10 Ultimately, to provide members with any or all of the following benefits and such others as the Delegates Conference may decide from time to time: Relief in sickness, accidents, disablement, distress, death, employment victimisation or trade dispute.
- 3.11 To establish or co-operate with other organisations with similar objectives in the business of printing and publishing of newspapers, journals, books, pamphlets and other publications in furtherance of fair labour practice.
- 3.12 To co-operate with other National Unions to establish a National Centre in the endeavour to secure favourable legislation in the interest of workers within the Republic of Ghana this shall include workers' participation in state enterprises and other economic ventures.
- 3.13 To affiliate or disaffiliate with International Trade Union bodies.
- 3.14 To promote worker co-operative ventures at workplaces within the jurisdiction of the National Union.



- 3.15 To acquire, hold and dispose of both movable and immovable properties and also to invest and disinvest the funds of the National Union.
- 3.16 To encourage, promote and defend free and democratic Trade Unionism and Institutions by exercising all the rights and privileges which may be necessary and convenient for the conduct of the affairs of the National Union.
- 3.17 To carry out the objectives and purposes of the National Union as set forth in the Preamble, Principles and Provisions of this Constitution and to do all things to promote the welfare and interest of members and employees within the jurisdiction of the National Union.

#### **ARTICLE 4 - JURISDICTION AND MEMBERSHIP**

- 4.1 The area of jurisdiction of the National Union shall cover Financial, Manufacturing, Trading, Printing, Hospitality, Textiles, Garment and Leather Workers and any other allied undertakings organised by the National Union including both the formal and the informal sectors within the Republic of Ghana.
- 4.2
- i. Membership is open to all categories of workers who fall within the jurisdiction of the National Union.
  - ii. No person below the age of eighteen (18) years shall be eligible to be a member of the Union.
  - iii. The Non-payment of dues, by a Local Union, for a period of three (3) months without any tangible reason or reasonable cause shall disqualify the Local Union from taking part in Union activities.
- 4.3 Membership of the National Union constitutes an acceptance by each member to be bound by the provisions of this Constitution and other Policies, Decisions and Directives of the National Union.

- 4.4 A person shall cease to be a member of the National Union if he:
- (a) dies
  - (b) resigns, retires, is dismissed or terminated from employment or expelled from the Union.
  - (c) serves a notice in writing of his intention to withdraw from the National Union and upon the expiration of a period of six (6) months from the date of receipt of the notice by the National Union. The letter of withdrawal shall be submitted in person to the nearest registered office of the Union.
- 4.5 A register of members shall be kept at the National Secretariat of the National Union and same shall be updated yearly in accordance with Article 20.8.
- 4.6 Every member shall be issued with a copy of the Constitution

## **ARTICLE 5 - CONSTITUTION AND GOVERNANCE**

- 5.1 The following shall constitute the governing bodies and structures of the National Union:
- (a) Delegates Conference
  - (b) National Executive Council
  - (c) Executive Committee
  - (d) Management Committee
  - (e) Finance Committee
  - (f) Regional Councils
  - (g) Branch Unions
  - (h) Local Unions
- 5.2 The supreme authority of the National Union shall be vested in the Delegates' Conference and in-between the periods of Delegates' Conferences, the National Executive Council shall be the highest governing body.

## **ARTICLE 6 - DELEGATES OR EXTRAORDINARY DELEGATES CONFERENCE**

- 6.1 The Delegates Conference shall be the supreme authority of the National Union.
- 6.2 The regular Delegates' Conference shall be held once every four years to precede the Congress of the Trades Union Congress (Ghana).
- 6.3 An Extraordinary Delegates Conference shall be convened at the request of half ( $\frac{1}{2}$ ) of the total number of Local Unions constituting the National Union or whenever the National Executive Council deems it necessary.
- 6.4 Each Local Union shall be entitled to elect Delegates to every Delegates or Extraordinary Delegates Conference.
- 6.5 Every National Officer shall be a delegate at the Delegates' Conference or Extra Ordinary delegates' conference.
- 6.6 (a) The National Executive Council shall determine the formula for selecting the number of delegates for each Local Union to the regular Delegates Conference or an Extraordinary Delegates Conference.  
  
(b) In determining the formula for selecting delegates to the regular or extraordinary delegates' conference, consideration shall be given to the total number of members in each Local Union and dues contribution.
- 6.7 The quorum for the Delegates Conference shall be two-thirds ( $\frac{2}{3}$ ) of the total number of Local Unions present at the conference.

## **ARTICLE 7 - BUSINESS OF THE DELEGATES CONFERENCE**

- 7.1 The business of Delegates Conference shall be to:
- (a) Form conference committees.
  - (b) receive reports from the National Executive Council
  - (c) approve and adopt amendments to the Constitution
  - (d) approve the audited accounts for the ending quadrennial
  - (e) approve the appointment of the auditor
  - (f) review the past work of the National Union and plan future activities
  - (g) receive nominations for National Officers
  - (h) elect National Officers
  - (i) Consider any other matter on the conference agenda.
- 7.2 Every member, Local Union, Branch Union or Regional Council may forward to a committee set up by the National Executive Council resolutions, motions for amendments to the Constitution and nominations for National Offices.
- 7.3 Nominations for National offices shall open five months before the date of conference and close three months to the conference.

## **ARTICLE 8 - COMMITTEES FOR THE DELEGATES CONFERENCE**

- 8.1 The following committees shall be set up for the Delegates Conference in the following order:
- (a) Credentials Committee
  - (b) Standing Orders Committee
  - (c) Constitutional Committee
  - (d) Resolutions Committee
  - (e) Elections Committee
- 8.2 The National Executive Council shall in consultation with the General Secretary appoint members of staff as facilitators to each committee.

### **8.3 The Standing Orders Committee**

- (a)
  - i. shall consist of eleven (11) members, one from each region
  - ii. shall elect its Chairperson and Secretary from among its members
- (b) The functions of the Committee shall be to:
  - i. fix the time for plenary sessions
  - ii. consider the provisional agenda drawn up by the Conference Secretariat and recommend a final agenda for the Quadrennial or Extraordinary Delegates Conference
  - iii. consider the standing orders and report on them to the Quadrennial or Extraordinary Delegates Conference
  - iv. make proposals with respect to any meetings or resolutions not embodied in the printed agenda of the Quadrennial or Extraordinary Delegates Conference.

### **8.4 The Credentials Committee**

- (a)
  - i. shall consist of eleven (11) members, one from each region.
  - ii. shall elect its Chairperson and Secretary from among its members.
- (b) The functions of the committee shall be to:
  - i. prepare a list of all accredited persons attending the Quadrennial or Extraordinary Delegates Conference
  - ii. report to the Quadrennial or Extraordinary Conference on the voting rights of delegates from each region
  - iii. receive and consider any objections to the credentials of delegates.
- (c) The report of the credentials committee shall be discussed and adopted by conference before any other business is considered by conference.

- (d) Until a final decision by the Quadrennial or Extraordinary Conference on the admission of a person whose credentials have been challenged is taken, that person shall not have voting rights.
- (e) The report of the Credentials Committee shall be considered by the Quadrennial or Extraordinary Delegates Conference immediately after its submission to the Chairperson of the Conference.

#### **8.5 The Constitutional Committee**

- (a)
  - i. shall consist of eleven (11) members, one from each region.
  - ii. shall appoint its own Chairperson and Secretary from among its members.
- (b) shall collate and discuss proposals for amendments to the Constitution and submit recommendations for consideration and adoption by Conference.

#### **8.6 The Resolutions Committee**

- (a) shall consist of eleven (11) members, one from each region.
- (b) shall appoint its own Chairperson and Secretary from among its members.
- (c) shall collate and discuss the resolutions submitted and make recommendations for approval by the Conference.

#### **8.7 The Elections Committee**

- (a) shall consist of eleven (11) members one from each region.
- (b) shall appoint its own Chairperson and Secretary from among its members.

- (c) shall be charged with the responsibility of collating, vetting and submitting nominations of candidates for election as officers of the National Union to the Delegates Conference

## **ARTICLE 9 - GENERAL PROVISIONS RELATING TO COMMITTEES OF THE DELEGATES CONFERENCE**

- 9.1 Every committee shall sit in camera.
- 9.2 The following shall be entitled to attend committee meetings:
  - (a) Members duly appointed to respective committees
  - (b) the facilitator who shall have no voting rights.
- 9.3 The quorum for a committee meeting shall be six (6) members present.
- 9.4
  - (a) A committee shall, as far as possible, arrive at its decision by a simple majority.
  - (b) Voting shall be by show of hands and where there is a tie, the Chairperson shall have a casting vote.

## **ARTICLE 10 - NATIONAL EXECUTIVE COUNCIL**

- 10.1
  - (a) The Governance of the National Union in the periods between Delegates Conferences and the conduct of its business shall be vested in the National Executive Council (hereinafter referred to as NEC).
  - (b) The elected National Chairperson, 1<sup>st</sup> and 2<sup>nd</sup> Vice-Chairpersons shall chair meetings of the National Executive Council.
- 10.2 The Council shall have no power to change any decision of the Delegates Conference.
- 10.3 The Council shall be composed of:
  - (a) all elected National Officers
  - (b) each region shall be represented on the NEC by three (3) members of which one shall be a woman

- (c) Any Local Union which has branches throughout the country shall have two (2) officials from its national officers represented on the NEC.
- (d) Two (2) National Officers of the NWC shall be members to the NEC  
Two (2) National Officers of the NYC shall be members to the NEC

10.4 The Heads of Departments of the National Union and Heads of Regional Operations shall be ex-officio members of the Council.

10.5 No member of the National Union under the age of twenty-one (21) years shall be eligible for election as a National officer or member of the Council.

10.6 The Council shall meet twice a year or whenever the exigency of work so requires.

10.7 The quorum for meetings of the Council shall be two-thirds (2/3) of the total number of its members.

10.8 Where a vacancy is created on the Council by:

- i. death
- ii. Resignation
- iii. termination
- iv. redundancy
- v. infirmity of mind
- vi. expulsion or dismissal of a member, the National Executive Council shall appoint a member of the Union into such vacancy until the next conference.

10.9 A Local Union Executive who is a National Officer shall;

- (a) Continue to hold office as a National Officer until the expiration of his term of office though he may no longer be a Local Union Executive, and,
- (b) be eligible for re-election if he has not served for the maximum two-terms.



- (c) A NEC member who ceases to be an Executive of the Local/Regional Council shall lose his position on the NEC.

10.10 The decisions of the Council shall be binding on all members of the National Union.

10.11 The Council shall direct policies for execution by the General Secretary and other officers for the conduct of the business of the National Union.

10.12 The Council may suspend a National Officer on proven grounds of gross misconduct by the votes of not less than 80% of its membership.

10.13 (a) The Council may caution or expel any member who is proved to the satisfaction of the Council, after he has been given an opportunity to be heard, to be guilty of gross misconduct against the interest of the National Union.

(b) Any officer or member suspended, expelled or dismissed by the Council shall have a right of appeal to the Delegates Conference, whose decision on the matter shall be final.

10.14 The Council shall approve the budget of the National Union.

10.15 The Council shall have power to contract loans, overdrafts or other financial assistance from the Bankers of the National Union.

10.16 The Council shall be guided by the Preamble to this Constitution in the attainment of the objectives of the National Union to ensure the efficient and judicious use of the resources of the Union.

10.17 The National Executive Council shall approve the affiliation and disaffiliation with International & National Trade Union Bodies.

10.18 In the absence of the Delegates Conference, the Council shall interpret the provisions of this Constitution when necessary and determine any point on which no provision is made by the Constitution.

10.19 The National Executive Council shall recommend the appointment and termination of the services of auditors of the National Union to the Delegates' Conference.

## **ARTICLE 11 - EXECUTIVE COMMITTEE**

Executive Committee shall take any action consistent with the aims and objectives of this constitution.

### **11.1 Composition**

The Executive Committee shall consist of the national officers of the Union.

### **11.2 Duties**

The Executive Committee shall meet once every month and shall have the following duties;

(a) Ensure the implementation of decisions of the National Executive Council (NEC) and its Management Committees.

(b) Consider reports from the office of the General Secretary.

(c) Assess and advice on the general administration of the Union.

### **11.3 Voting Rights**

All members of the Executive Committee shall have voting rights at its meetings.

## **ARTICLE 12 – STANDING COMMITTEES**

12.1 There shall be the following Standing Committees:

(a) Management Committee

(b) Finance Committee

- 12.2 (a) There shall be a **Management Committee** composed of:
- i. National Officers
  - ii. One representative of each region on the National Executive Council
  - iii. All heads of Departments of the National Union.
  - iv. A Representative from among the national officers of the local Unions represented on the NEC.
  - v. A Representative from among the National Officers of the NWC represented on the NEC.
  - vi. A Representative from among the National Officers of the NYC represented on the NEC.

- (b) The functions of the Committee shall be to:
- i. administer the affairs of the National Union during the periods between meetings of the National Executive Council.
  - ii. appoint senior staff on the recommendations of the General Secretary.
  - iii. appoint two (2) of its members to join the Chairperson of the Finance Committee and one Trustee to negotiate conditions of service for the staff of the National Union.
  - iv. deal with any matter delegated to it by the National Executive Council.

- 12.3 (a) The **Finance Committee** shall be composed of:
- i. one representative from each region serving on the National Executive Council.
  - ii. The National Trustees.
  - iii. The General Secretary and Finance Officer shall be ex-officio members of the Committee.
  - iv. A Representative from among the national officers of the Local Unions represented on the NEC.

- v. A Representative from among the National Officers of the NWC represented on the NEC.
  - vi. A Representative from among the National Officers of the NYC represented on the NEC.
- (b) The Committee shall:
- i. be responsible for all financial matters of the National Union.
  - ii. lay financial proposals and statements for ratification by the National Executive Council.
  - iii. compile financial returns to the National Executive Council
  - iv. supervise all financial transactions of the National Union.
  - v. Compile and present audited accounts for the ending quadrennial to conference.
  - vi. The Finance Committee shall conduct an internal Audit of all financial transactions of the National Union preceding each NEC meeting.

## **ARTICLE 13 - OFFICERS AND THEIR DUTIES**

13.1 (a) The following shall be the National Officers of the National Union:

- i. National Chairperson
- ii. National 1<sup>st</sup> Vice-Chairperson
- iii. National 2<sup>nd</sup> Vice-Chairperson
- iv. General Secretary
- v. Deputy General Secretary
- vi. 1<sup>st</sup> National Trustee
- vii. 2<sup>nd</sup> National Trustee

(b) The Position of the 2<sup>nd</sup> Vice chairperson which is a preserve for women shall be voted for at the delegates' conference in accordance with the procedure for electing national officers of the Union.

- (c) Except the General Secretary and the Deputy General Secretary who shall be full-time Officers of the National Union, all other National Officers shall be part-time.

**13.2 The National Chairperson shall:**

- (a) preside over all meetings of the governing bodies of the National Union.
- (b) be responsible for the proper conduct of business at all such meetings.
- (c) sign the minutes of each meeting after their approval in conjunction with the General Secretary.
- (d) secure the observance of the provisions of the Constitution of the National Union by all members.
- (e) be the Chief Advisor of the National Union.

**13.3 The National 1<sup>st</sup> Vice-Chairperson shall:**

- (a) act as National Chairperson in the absence of the substantive National Chairperson.
- (b) perform such other duties as may be assigned to him by the National Chairperson or the National Executive Council from time to time.

**13.4 The National 2<sup>nd</sup> Vice-Chairperson shall:**

- (a) act as National Chairperson in the absence of the National 1<sup>st</sup> Vice-Chairperson.
- (b) perform such other duties as may be assigned to him by the National Chairperson or the National Executive Council from time to time.

**13.5 The General Secretary:**

General Secretary who is a full time Chief Executive of the Union shall perform the following functions:

- (a) be responsible for the general administration of the Union.
- (b) be responsible for the recording of the minutes at all meetings of the relevant governing bodies of the National Union.
- (c) have the right to speak and vote at such meetings.

- (d) conduct the business of the National Union in accordance with the Constitution.
- (e) supervise the implementation of the decisions of the governing bodies.
- (f) appoint staff other than senior staff.
- (g) prepare reports of the National Executive Council to the Delegates Conference
- (h) be responsible for the preparation of Annual Returns for submission to the Registrar of Trade Unions.
- (i) be responsible for all monies received and expended on behalf of the National Union
- (j) be responsible for the preparation of financial reports of the National Union.

**13.6 The Deputy General Secretary shall:**

The Deputy General Secretary who is a full-time officer and the Deputy Chief Executive of the Union shall perform the following functions:

- (a) Assist the General Secretary in the performance of his/her duties
- (b) Act in the absence of the General Secretary.
- (c) Perform any other duties as from time to time may be assigned by the National Executive Council in consultation with the General Secretary.

**13.7 The Trustees shall:**

- (a) be the custodians of all assets of the National Union.
- (b) periodically examine the records and books of the Accounts Department.
- (c) participate in the negotiation of the terms of conditions for members of staff.
- (d) perform any other duties assigned to them by the National Executive Council.
- (e) be accountable to the National Executive Council.

**ARTICLE 14 - QUALIFICATION, ELECTION, TENURE OF OFFICE AND REMOVAL FROM OFFICE OF NATIONAL OFFICERS**

- 14.1 (a) A member seeking election to a National Office:
- (i) shall be a fully paid-up member.
  - (ii) must have served as an executive of a Local Union or a NEC member for a period of not less than four (4) years.
  - (iii) shall be twenty-one (21) years or above
  - (iv) shall be literate
- 14.2 (a) Every National Officer shall be elected at the Delegates Conference by secret ballot.
- (b) The Position of the 2<sup>nd</sup> Vice chairperson which is a preserve for women shall be voted for at the delegates' conference in accordance with the procedure for electing national officers of the Union.
- 14.3 (a) National Officers shall hold office for a term of four years commencing from the date of swearing-in.
- (b) All elected national officers shall not hold the same office for more than two terms.
- (c) A Local National Union Executive who is a National Officer shall;
- (i) Continue to hold office as a National Officer until the expiration of his term of office though he may no longer be a Local Union Executive.
  - (ii) be eligible for re-election if he has not served for the maximum two-terms on the same position.
- 14.4 The National Executive Council shall appoint the Chief Labour Officer, the National Electoral Commission or any other recognised body to conduct its election at all delegates' conference.
- 14.5 (a) A National Officer may be removed from office on proven grounds of
- (i) Dishonesty
  - (ii) Gross misconduct
  - (iii) Abuse of office, or
  - (vi) Breach of oath of office.

- (b) A National Officer who is found guilty from the above, shall be removed by a two-thirds (2/3) majority of the number of delegates present and voting at a Delegates Conference.

14.6 Where a National Office becomes vacant because of resignation, death, infirmity of mind, expulsion or dismissal, the National Executive Council shall fill the vacancy. The position shall be filled as follows:

- i. If National Chairperson, the 1<sup>st</sup> Vice Chairperson shall replace.
- ii. If the General Secretary, the Deputy General Secretary shall replace.
- iii. If the 1<sup>st</sup> Vice Chairperson, the NEC shall replace.
- iv. If the 2<sup>nd</sup> Vice Chairperson, the NEC shall replace.
- v. If the Deputy General Secretary, the NEC shall fill the vacancy.
- vi. The 2<sup>nd</sup> Trustee shall fill the position of the 1<sup>st</sup> Trustee and NEC shall fill the position of the 2<sup>nd</sup> Trustee.
- vii. Vacancies created shall not be filled if it is only a year left for conference.

14.7 For the avoidance of doubt, the filling of such vacancies shall be considered permanent.

## **ARTICLE 15 – CONDITIONS OF SERVICE FOR NATIONAL OFFICERS**

15.1 A full-time National Officer shall be paid a salary approved by the National Executive Council.

15.2 A part-time National Officer shall be paid a monthly allowance approved by the National Executive Council.

## **ARTICLE 16 – NATIONAL WOMEN COMMITTEE**

16.1 There shall be an established National Women's Committee as the umbrella body to organize the women of the National Union (herein referred to as the NWC)

16.2 The NWC shall:

- i. work to unite all female workers with the purpose of promoting and improving their conditions of work.
- ii. organize campaign for the full emancipation of female workers.



- iii. promote the general welfare of female workers.
- iv. network with organizations with similar objectives to secure united action on all issues affecting or likely to affect these objectives.

The National Women Committee shall have the following officers;

- (a) Chairperson
- (b) Vice Chairperson
- (c) Secretary
- (d) Assistant Secretary
- (e) Trustee

16.3 (a) There shall be the Central Committee (CC) of the National Women Committee which serves as the highest decision making body of the National Women Committee in the periods between Delegates Conference. The Committee shall meet twice a year.

(b) The Central Committee of the National Women Committee shall be composed of;

- i. Elected National Officers of the NWC
- ii. Three (3) representatives from each Regional Women's Committee (RWC).
- iii. the General Secretary shall be an ex-officio member.

16.4 There shall be the Regional Women Committee (RWC) in all the regions. The RWC shall have of the following officers:

- (a) Chairperson
- (b) Vice Chairperson
- (c) Secretary
- (d) Assistant Secretary
- (e) Trustee

16.5 Delegates to the NWC conference shall be made up of ;

- (i) Women drawn from all Local Unions in accordance with the formula to be adopted by the NEC.
- (ii) Three (3) representatives from each Regional Women's Committee (RWC).
- (iii) Elected National Officers of the NWC

## **ARTICLE 17 – NATIONAL YOUTH COUNCIL AND YOUTH COMMITTEES**

There shall be an established National Youth Council as the umbrella body of the youth in the Union which, under the direction of the National Secretariat,

Shall:

- (a) Provide a forum for the youth to articulate their views on issues including those of concern to youth.
- (b) Pursue activities and programmes that will enhance the promotion and full participation of youth in the activities of the union.

The National Youth Committee shall have the following officers;

- (a) Chairperson
- (b) Vice Chairperson
- (c) Secretary
- (d) Assistant Secretary
- (e) Trustee

17.1 (a) There shall be the Central Committee (CC) of the National Youth Committee which serves as the highest decision making body of the National Youth Committee in the periods between Delegates Conference. The Committee shall meet twice a year.

(b) The Central Committee of the National Youth Committee shall be composed of;

- i. Elected National Officers of the NYC
- ii. Three (3) representatives from each Regional Youth Committee (RWC).
- iii. the General Secretary shall be an ex-officio member.

17.2 There shall be the Regional Youth Committee (RYC) in all the regions. The RYC shall have of the following officers:

- (a) Chairperson
- (b) Vice Chairperson
- (c) Secretary
- (d) Assistant Secretary
- (e) Trustee

- 17.3 Delegates to the NYC conference shall be made up of;
- (i) Youth drawn from all Local Unions in accordance with the formula to be adopted by the NEC.
  - (ii) Three (3) representatives from each Regional Youth Committee (RYC).
  - (iii) Elected National Officers of the NYC

## **ARTICLE 18 - REGIONAL COUNCILS**

- 18.1 There shall be Regional Councils set up in line with the demarcations approved by the National Executive Council.
- 18.2 All Branch Unions in a region shall have a representation on the Regional Council.
- 18.3 A Regional Council shall have the following Officers:
- i. Chairperson
  - ii. 1<sup>st</sup> Vice Chairperson
  - iii. 2<sup>nd</sup> Vice Chairperson
  - iv. Secretary
  - v. Assistant Secretary
  - vi. 1<sup>st</sup> Trustee
  - vii. 2<sup>nd</sup> Trustee
- 18.4 The Regional Officer in charge of the Region shall be an ex-officio member.
- 18.5 The Regional Council shall be responsible for co-ordinating the activities of Branch Unions in each region and the main pivot of the organisational network of the National Union in the region.
- 18.6 A Regional Council shall convene Quadrennial delegates' Conferences of all Branch Unions to:
- (a) discuss and review the activities of the National Union in their respective regions.
  - (b) draw up their various programmes of activities for the coming year.
  - (c) elect officers

- (d) shall submit annual reports on its activities to the National Secretariat.
- (e) shall operate and manage its own funds.
- (f) transact any other business.

18.7 A Regional Council shall implement all decisions of the National Executive Council.

(a) The Executives of the Regional Council shall be collectively and individually responsible for the implementation of the decisions of the National Executive Council.

(b) The structures of the Regional Executive Council should have district representation.

(c) Qualification of Regional Officers;

- i. Be member of a Local Union for not less than four years.
- ii. Be a dues paying member
- iii. Be nominated or sponsored by his/her Local Union.

## **ARTICLE 19 –BRANCH UNIONS**

19.1 There shall be Branch Unions of the National Union.

19.2 A Branch Union shall be made up of all Local Unions in a particular district or town.

19.3 A Branch Union shall have the following Officers:

- (a) Chairperson
- (b) 1<sup>st</sup> Vice Chairperson
- (C) 2<sup>nd</sup> Vice Chairperson
- (d) Secretary
- (e) Assistant Secretary
- (f) 1<sup>st</sup> Trustee
- (g) 2<sup>nd</sup> Trustee

19.4 A Branch Union may draw up its own rules and bye-laws consistent with the Constitution of the National Union and which shall be subject to the approval of the Management Committee.

- 19.5 A Branch Union shall elect its Officers, representatives and governing bodies who shall be in office for a four year term, and shall be eligible for re-election.
- 19.6 A Branch Union shall hold periodic meetings to review its activities.
- 19.7 A Branch Union Executive who loses his position as a Local Union Executive shall continue in office until the expiration of the term of that particular office but he shall not be eligible for re-election.
- 19.8 (a) A Branch Union shall implement all decisions of the National Executive Council.
- (b) The Executives of the Regional Branch Union shall be collectively and individually responsible for the implementation of the decisions of the National Executive Council.
- 19.9 A Branch Union shall submit annual reports on its activities to the National Headquarters.
- 19.10 A Branch Union shall operate and manage its own funds.
- 19.11 The National Headquarters may audit the accounts of a Regional Branch Union.

## **ARTICLE 20 – LOCAL UNIONS**

- 20.1 There shall be Local Unions in all member institutions of the union.
- 20.2 A Local Union shall have the following Officers:
- (a) Chairperson
  - (b) 1<sup>st</sup> Vice-Chairperson
  - (c) 2<sup>nd</sup> Vice-Chairperson
  - (d) Secretary
  - (e) Assistant Secretary
  - (f) 1<sup>st</sup> Trustee
  - (g) 2<sup>nd</sup> Trustee

- 20.3 A Local Union may draw up its own rules and bye-laws which shall be subject to the approval of the National Union.
- 20.4 A Local Union shall elect its Officers and representatives who shall be in office for a four year term, and shall be eligible for re-election.
- 20.5 A Local Union may pay an annual honorarium to its officers.
- 20.6 A Local Union shall operate and manage its own funds.
- 20.7 The National Headquarters may audit the accounts of the Local Union.
- 20.8 Every Local Union shall compile and forward to the National Headquarters, a detailed list of all its members on or before the 31<sup>st</sup> day of October of each year.

## **ARTICLE 21 – INCOME AND EXPENDITURE**

### ***Dues***

- 21.1 (a) Every member shall pay monthly dues to the National Union.
- (b) The amount of dues payable by a member shall be equivalent to one percent (1%) of that member's basic monthly salary or any other rate approved by conference.
- (c) The payment of Trade Union dues shall be by negotiated check-off or any other system of collection directed by the National Union.
- (d) Unless otherwise directed by the Congress of the Trades Union Congress, the dues collected by the National Union shall be distributed as follows:

Trades Union Congress	-	30%
National Union	-	50%
Branch Union	-	5%
Local Union	-	15%

- (e) Payment of dues shall be by check off system.

### ***Education Endowment and Solidarity Fund***

- 21.2 (a) The Union shall set up an Education Endowment and Solidarity Fund.
- (b) Each member shall contribute one percent (1%) of his salary every month to the fund, to be deducted at source.
- (c) The fund shall be disbursed as follows:
- |                |   |     |
|----------------|---|-----|
| National Union | - | 80% |
| Local Unions   | - | 20% |
- (d) The administration of the fund shall be vested in the National Executive Council.

### **Levies**

- 21.3 The Delegates Conference or the National Executive Council may impose levies on Local Unions or members when it becomes necessary to do so.

### **Bank Account**

- 21.4 The National Union shall keep a Bank Account with a Bank approved by the National Executive Council.

### **Auditing Of Accounts**

- 21.5 (a) The accounts of the National Union shall be audited at the end of every financial year ending on the 31<sup>st</sup> day of December each year.
- (b) The National Union shall engage a qualified auditor to audit the accounts.
- (c) The audited accounts shall be presented to the National Executive Council in the last quarter of each year.
- 21.6 The General Secretary together with either the National Chairperson or any of the Trustees shall be joint signatories to the account of the National Union.

## **ARTICLE 22 - GRIEVANCE PROCEDURE**

- 22.1 (a) There shall be Ad hoc complaints committee consisting of not more than five (5) members.
- (b) The Committee shall be established by the Management Committee.

- (c) The Committee shall determine all complaints against any member or officer on matters relating to the duties and obligations of such member or officer under this Constitution or any other matter affecting the Union.

22.2 A Complaint by any member shall be in writing, addressed to the Secretariat. Complaint shall be forwarded to the Executive Committee within 14 days from the date of receipt. The ExCom shall convene a Management Committee meeting and notify members of the complaint. The Management Committee shall then form a Complaint Committee in accordance with Article 21.1

22.3 (a) Where a complaint is lodged against a member of the Management Committee or any member of the Management Committee is directly interested in the subject matter of a complaint, s/he shall not be qualified to take part in the appointment of the panel.

(b) Where a complaint is lodged against a National Officer or s/he is directly interested in the subject matter of the complaint, no National Officer shall be qualified to take part in the appointment of the complaint committee.

(c) Any member of the National Union may be appointed as a member of the panel.

22.4 A copy of the complaint shall within seven (7) days of receipt of same be sent to the member or officer of whom the complaint is about to react to the complaint and answer any charge(s) or allegation(s) against him within fourteen (14) days.

22.5 (a) Upon receipt of the response of the member or officer, the Secretariat shall forward it to the panel.

(b) Where further investigation is required, the Complaint Committee shall refer the matter to the Management Committee for further investigations by an Investigative Committee to be established by the Management Committee.



- 22.6 The complaints committee shall meet within seven (7) days of its receipt of the response to determine the complaint.
- 22.7 Where a *prima facie case* is established against the member or officer, a formal hearing shall be conducted by the complaints committee at which the complainant and the member or officer against whom a complaint is lodged shall be entitled to attend.
- 22.8 A complainant, member or officer attending a formal hearing shall have the right to call witnesses.
- 22.9 A decision of the Committee shall be by simple majority and binding on all the Parties.
- 22.10 (a) Where a person is dissatisfied with a decision of the Complaints Committee, s/he shall by a letter in writing within seven (7) days on receipt of the decision, notify the Secretariat and shall be forwarded to the Executive Committee.
- (b) Upon receipt of such notice, the matter shall be submitted for arbitration within one month, before a panel which shall be constituted of three (3) members.
- (c) The arbitration panel shall be composed of one member chosen by the dissatisfied member, one chosen by the other party and a third member, chosen by the Management Committee.
- (d) A decision of the arbitration panel on the matter shall be final and binding on all the parties.
- 22.11 (a) Where a member has a complaint which may affect the organisation of the Quadrennial Delegates Conference, or where he is of the view that the Conference should not be held pending the determination of the complaint, he shall lodge the complaint at least four (4) months before the proposed date of the Conference.

- (b) Any member who fails to comply with the preceding subsection shall lose the right to have his complaint determined until after the Conference.

22.12 A member shall not have recourse to the courts unless he has complied with the provisions of this Article.

## **ARTICLE 23 – DISCIPLINE**

23.1 It shall be the duty of all members and officers of the Union to uphold and protect the integrity and reputation of the Union and to defend the constitution at all times.

23.2 (a) A member or officer shall be sanctioned under this Constitution if he breaches any of the provisions of this Constitution or does any act that may bring the Union into disrepute.

- (b) A member or officer who breaches any of the provisions of this Constitution shall be guilty of gross misconduct.

23.3 In the case of an Officer or member of the National Executive Council, he shall be dismissed from office and shall be forever debarred from contesting for any elective office in the Union.

## **ARTICLE 24 – GENERAL PROVISIONS**

24.1 Except otherwise provided, the provisions of this Constitution shall apply to all the structures of the National Union.

24.2 Except otherwise provided in this Constitution, all decisions of the governing bodies of the National Union shall be by simple majority.

24.3 Each Region, Branch or Local Union Executive Committee shall have at least one woman and a youth aged twenty-one (21) or above as members.

24.4 Students in Tertiary Institutions may be organised as honorary members of the Union.

## **ARTICLE 25 – AMENDMENTS TO THE CONSTITUTION**

25.1 This Constitution shall be amended only by the Delegates Conference.

25.2 A motion seeking an amendment to the Constitution shall form part of the agenda for the Delegates Conference.

25.3 An amendment shall be carried by a two-third (2/3) majority of the number of delegates present and voting at the Conference.

## **ARTICLE 26 - DISSOLUTION**

26.1 The National Union shall not be dissolved except with the consent of two-thirds (2/3) of the entire membership voting in a referendum.

26.2 In the event of the dissolution of the National Union, all liabilities shall be discharged to the extent of the assets and any excess funds distributed amongst the members in equal proportion.

## **ARTICLE 27 - INTERPRETATION**

27.1 In this Constitution unless the context otherwise requires:

- (a) *“Employment”* shall include non-employment
- (b) *“Governing Bodies”* shall refer to the Delegates Conference, National Executive Council, Executive Committee, and Management Committee
- (c) *“Local Union”* shall include Professional and Managerial Staff Unions.
- (d) *“Member”* means a fully paid up member
- (e) *“National Union”* means Union of Industry Commerce and Finance Workers.
- (f) *“Worker”* means an employee within the jurisdiction of the National Union

## **ARTICLE 28 – INTERNAL REGULATIONS**

Internal regulations shall be adopted by the National Executive Council for the implementation of the constitution.

### **SCHEDULE I**

#### **Standing Orders**

- 1) The Delegates Conference shall conduct its business in accordance with the approved Agenda.
- 2) Notices of motions and matters for discussion at the Conference from Branch and Local Unions shall be submitted to the Committee set up by the NEC.
- 3) Emergency motions may be included in the Conference agenda after the opening of the Conference subject to the approval of the Standing Orders Committee.
- 4) The mover of any motion, but not a seconder, shall have a right of 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.
- 5) Remarks shall be strictly confined to the explanation or point of order.
- 6) A motion shall be put immediately after the mover has replied.
- 7) If an amendment to a motion is carried, it shall become the substantive motion and may be subject to amendment.
- 8) When an amendment to a motion is proposed, no second amendment shall be discussed unless the first proposal for amendment is disposed off.

## **SCHEDULE II**

### **Oath of Office**

Any Officer holding an elected or other office in the Union under the Constitution shall on installation take the following oath: -

"I..... (insert name) solemnly pledge and swear that I shall in my term of office always live up to the aims and aspirations of the National Union and shall never under any circumstances, divulge any official secrets of the Union, betray a colleague, become disloyal to the Trade Union Movement, 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 fortune.

**SO HELP ME GOD**

.....

National secretariat  
Number 18 South Liberia Link, Adabraka  
GA-075-2402  
[www.unicofgh.org](http://www.unicofgh.org)  
[info@unicofgh.org](mailto:info@unicofgh.org)