



## **The Rules of The Yourmate Union**

### **Section 1 - Name**

1.1 The name of the Union shall be The Yourmate Union, hereafter referred to as Yourmate.

### **Section 2 - The Purposes of the Union**

2.1 The Purposes of Yourmate are:

- 1) To organise all those employed, directly or indirectly, in the public, private or voluntary sectors of the economy.
- 2) To improve the pay and conditions of members and promote their interests, particularly through the use of collective bargaining.
- 3) To establish good relations between members and their employers, to secure the settlement of disputes arising from members' employment, and to participate in joint negotiating machinery.
- 4) To represent our members in matters of employment.
- 5) To support our members.
- 6) To promote trade unionism in general and to increase the membership of trade unions.
- 7) To seek to ensure equality of treatment and fair representation for all workers and to work for the elimination of discrimination on grounds of race, gender, sexuality, gender identity, disability, age or creed.
- 8) To seek to protect the rights of all workers to be treated with dignity and respect irrespective of race, gender, sexuality, gender identity, disability, age or creed.
- 9) To promote and improve the health, safety and welfare of all workers in all workplaces.
- 10) To liaise with the United Kingdom Government, devolved administrations and all other levels of government on employment legislation and related matters and to promote and monitor legislation for the benefit of members and the public.
- 11) To promote and pursue environmental sustainability in all our work.

### **Section 3 - Types of Membership**

3.1 “FULL” members. For person/s in full time or part time employment, who qualify for the full benefits and privileges provided by the Union. Membership is open to workers in all industries and sectors in the United Kingdom and they can apply for membership through the website or by directly contacting the Union.

3.2 “LAPSED” members. For person/s who have previously been Full Members but have not held membership for a period of 3 months or more.

3.3 “FORMERLY LAPSED” members. For person/s who have previously been Lapsed Members.

3.4 “REPRESENTATIVE” Members. For Full Members who hold a Trade Union Representative position in the Union.

3.5 “FOUNDING” Members. For members who were Full Members at the first Annual General Meeting held on the 1st of October 2023, namely Dave Dawes, Claire Bent, and Ben Dawes. For the purposes of the Rules, Founding Members are also Full Members.

3.6 The Subscription Rate for all categories of membership shall be determined from time to time by the Executive Council.

### **Section 4 - Constitution of the Union**

4.1 There shall be an Executive Council.

4.2 The general administration of the union shall be invested in the Executive Council.

4.3 The Executive Council shall meet not less than every three months and shall direct the business of the union in pursuit of the rules.

4.4 The General Secretary shall support the Executive Council and lead the Union in pursuit of the rules of the union.

4.5 The liability of each Full Member or Executive Council member is limited to £1, being the amount that each Full Member undertakes to contribute to the assets of the Union in the event of its being wound up while he or she is a Full Member or within one year after he or she ceases to be a member, for:

- i) payment of the Company’s debts and liabilities contracted before he or she ceases to be a member;
- ii) payment of the costs, charges and expenses of winding up; and
- iii) adjustment of the rights of the contributories among themselves.

## **Section 5 - Annual General Meetings**

5.1 There shall be an Annual General Meeting (hereafter AGM) to be provided in such a manner as the Executive Council sees fit. The AGM shall be held once in each calendar year.

5.2 The Executive Council shall produce an agenda for the AGM by no later than eight weeks prior to the opening of the AGM.

5.3 The agenda of the AGM must include a presentation of the annual report and accounts.

## **Section 6 - Special General Meetings**

6.1 A Special General Meeting may be convened by the Executive Council should this be considered necessary, or if the same should be desired by 1,000 Full Members or 1% of the the full body of the membership (in accordance with the Voting Rights and Procedures, subject to the restrictions set out in Section 8), whichever is larger.

6.2 Such a meeting shall be held within 28 days from the date of application and at a time and place as may be determined by the Executive Council. A Special General Meeting shall only exercise those powers of an Annual General Meeting which are specified in the notice by which the Special General Meeting is convened.

## **Section 7 - Powers of the Executive Council**

7.1 The Powers of the Executive Council shall be subject to the Rules. The Executive Council has any and all powers not hereby prohibited by the Rules and shall include the following powers:

- i) To organise and set the membership fees to keep the funds solvent.
- ii) To set up and appoint such individuals and committees to deal with the problems and business of the union.
- iii) To develop strategies and plans in pursuit of the rules of the union.
- iv) To appoint Representatives.
- v) To establish a political fund.
- vi) To establish regulations governing the election or appointment of Yourmate stewards and other union representatives.
- vii) To establish regulations governing the duties and privileges attached to Yourmate stewards and other union representatives.
- viii) To delegate any such powers to the General Secretary on a day-to-day basis.

## **Section 8 - Voting Rights and Procedures**

8.1 The Executive Council shall determine the order of the elections and shall notify the members of the pending elections. The Executive Council shall determine the policy and process for the management of all elections, subject to Section 9 of the Rules.

8.2 The Executive Council shall ask its members for nominations and on acceptance of the nominations a ballot shall commence to all members.

8.3 No ballot shall be required if an election is uncontested because there is only one candidate or only enough candidates to fill the number of positions. No ballot is required if no member sought to be elected to the position.

8.4 In the event of a casual vacancy the Executive Council may appoint an eligible Full Member to the vacant seat for the remainder of the term of office of that seat. The Executive Council may also choose to conduct an election for the vacant seat for the remainder of the term of office of that seat.

8.5 Where there is more than one candidate nominated, the candidate shall have the opportunity to write an election statement of no more than 500 words. This shall be circulated with the ballot form to each member.

8.6 The number of seats on the Executive Council shall vary with the size and responsibilities of the union. This shall be determined by the Executive Council.

8.7 Any member of the union shall be free to take part in any open vote within their area, with the following exceptions:

- i) A new member, which has belonged to the Union for less than three full calendar months at the time the ballot is held.
- ii) Any member whose permanent address is not, or is no longer, within the United Kingdom, at the time the ballot is held.
- iii) Any member who has allowed their membership contributions to lapse three months or more, i.e. a Lapsed Member

8.8 The counting and scrutinising of the votes and declaring the results if the elections shall be undertaken by an independent organisation nominated by the General Secretary.

## **Section 9 - Election of Officials**

### ***9.1 General Secretary***

9.1.1 The General Secretary will be elected from the Executive Council, and this will be for a period of five years. No individual can hold this post for more than five years without re-election.

9.1.2 The election process shall be started three months prior to the expiry of their term in office and the retiring member shall be eligible for re-election.

9.1.3 The Executive Council member seeking election must have at least two years of continuous membership.

9.1.4 The Executive Council member seeking election must be a Representative Member.

9.1.5 The General Secretary will be elected by the full body of the membership in accordance with the Voting Rights and Procedures, subject to the restrictions set out in Section 8.

## **9.2 Executive Council**

9.2.1 There shall be two seats on the Executive Council for Founding Members. Only Founding Members shall be eligible for election to these seats. These members will be elected by the full body of the membership in accordance with the Voting Rights and Procedures, subject to the restrictions set out in Section 8. The term of office for these seats is five years. No individual can hold this post for more than five years without re-election.

9.2.2 There shall be additional seats on the Executive Council for Full Members whose number shall be determined by the Executive Council. Only Full Members shall be eligible for election to these seats. These members will be elected by the full body of the membership in accordance with the Voting Rights and Procedures, subject to the restrictions set out in Section 8. The term of office for these seats is four years. No individual can hold this post for more than five years without re-election.

9.2.3 The election process for all seats shall be started three months prior to the expiry of the existing term in office and the retiring member shall be eligible for re-election.

9.2.4 The election process for newly created seats shall be started three months prior to the beginning of the proposed term of office.

9.2.5 The member seeking election must have at least two years of continuous membership.

9.2.6 The member seeking election must be a Full Member.

## **9.3 President**

9.3.1 The President will be elected from the Executive Council, and this will be for a period of five years. No individual can hold this post for more than five years without re-election.

9.3.2 The election process shall be started three months prior to the expiry of their term in office and the retiring member shall be eligible for re-election.

9.3.3 The Executive Council member seeking election must have at least two years of continuous membership.

9.3.4 The Executive Council member seeking election must be a Representative Member.

9.3.5 The President will be elected by the full body of the membership in accordance with the Voting Rights and Procedures, subject to the restrictions set out in Section 8.

#### **9.4 Election procedures**

9.4.1 All elections for the President, General Secretary and Executive Council Members must held by a secret postal ballot of all eligible members run by an independent scrutineer.

9.4.2 All elections for the President, General Secretary and Executive Council Members will take place in accordance with the relevant provisions in the Trade Union and Labour Relations (Consolidation) Act 1992

### **Section 10 - Annual Report**

10.1 The annual report and accounts shall be produced by the Executive Council with assistance from such persons or organisations as they deem necessary. They shall be produced and circulated to the full membership by no later than two months prior to the date of the AGM. The annual accounts shall be audited before circulation.

10.2 The annual report and accounts shall be presented at the AGM by a member, or members, of the Executive Council.

10.3 The Accounting Period for the accounts shall be determined by the Executive Council.

10.4 The Executive Council shall appoint external independent auditors to audit the annual accounts. The auditors shall comply with the relevant provisions in the Trade Union and Labour Relations (Consolidation) Act 1992

10.5 The Executive Council shall appoint an Assurer to provide such membership audit certificates as are required by legislation. The Assurer may be removed in accordance with legislation and their appointment shall cease forthwith if no longer required by legislation.

### **Section 11 - Representation of Members**

11.1 All Full Members shall be entitled to representation at any disciplinary hearing or grievance hearing held by their employer. All Full Members shall also be entitled to representation at any appeal hearing which appeals against the decision of any disciplinary hearing or grievance hearing held by their employer. All Full Members shall be entitled to such representation for cases which began before they became members.

11.2 Formerly Lapsed Members are not entitled to representation for any cases which began during the period in which their membership had lapsed.

### **Section 12 - Vote of No Confidence**

12.1 The Executive Council can pass a Motion of No Confidence in any member of the Executive Council. This vote shall be carried if it is supported by over 69% of Executive Members. If the number of votes in favour of the motion is not greater than 69% of all votes cast then the motion shall fail.

12.2 If the vote is carried then that member is removed from office. There shall be an election for the remainder of the term of office for that seat within three months. The ousted member shall have the right to stand for re-election.

### **Section 13 – Trustees**

13.1 All moneys subscribed by the members and all funds and property otherwise acquired by the Union shall be the property of the Union.

13.2 Funds available for investment shall be invested in such a way (whether authorised by law for the investment of trust funds or not) as shall from time to time be provided by regulations drawn up by the Executive Council.

13.3 The Executive Council may direct that any part of the funds or investments of the Union shall be separated from the general funds of the Union and held upon separate trusts within any of the objects and powers of the Union including such trusts as are in law charitable.

13.4 There shall be two or more General Trustees appointed by the Executive Council each of whom shall hold office until death, resignation, disqualification or removal by the EC.

13.5 All the real and personal property of the Union which is not required for immediate purposes shall be held in the name of a nominee company of which the General Trustees shall be the directors and shall be held in accordance with the instructions of the Union.

13.6 The Trustees shall obey all lawful directions of the Executive Council and shall sign all documents and do all acts and things which may be necessary to carry out those directions.

### **Section 14 - Disciplinary Procedures**

14.1 Any member, officer or representative of the union, regardless of length and category of membership may be subject to union disciplinary action if it is alleged that:

- i) The union has been brought into disrepute by the member's actions.
- ii) The member has acted contrary to with the policies and/or rules of the union.
- iii) The member has failed to comply with the policies and/or rules of the union.

14.2 On receipt of any complaint the General Secretary will instruct an investigator to investigate the complaint fully, reporting back to the Executive Council.

14.3 The individual may be suspended from office by the General Secretary to allow the investigation to proceed unhindered. The individual will be written to as soon as reasonably practicable setting out the details of the complaint and will be invited to a disciplinary hearing, where they will be entitled to have a representative accompany them if they wish.

14.4 After this disciplinary hearing has taken place, the evidence will be fully assessed and a decision as to whether any further action should be taken will be made.

14.5 This decision will be communicated to the member concerned who will have a right to

appeal the decision within 14 days of the notification being made.

14.6 Any appeal must be made directly to the General Secretary in writing setting out the grounds for the appeal. The appeal will be heard directly by the Executive Council and the General Secretary, provided they have not been involved in the process to date.

14.7 Sanctions available to the disciplinary committees if it is found there is a case to answer may include but are not limited to:

- i) Suspension of membership from the union for a set period of time dependant on the Severity of the act concerned.
- ii) Suspension from holding office for a period of time or indefinitely.
- iii) Removal of voting rights for a period of time or indefinitely.

## **Section 15 - Alterations of the Rules**

15.1 These Rules can be altered at an Annual General Meeting or Special General Meeting. Any Rule change must be supported by over 69% of those members present at the meeting who are eligible to vote in accordance with Section 8.

15.2 If on a ballot vote a resolution to dissolve the Union shall be passed unanimously by the members of the Union at a General Meeting, then the Executive Committee shall wind up the affairs of the Union. After payment of the Union's liabilities, any assets shall be divided among the Founding Members in equal shares.

*YourMate Rules v2  
These rules were agreed by the Executive Council  
on the 30th September 2024 and will be voted  
on by the 2024 Annual General Meeting*