

**RULES AND REGULATIONS
of the
BARBADOS WORKERS' UNION**

1. Name and Office

- (i) The name of the Union shall be "The Barbados Workers' Union.
- (ii) The registered office of the Union shall be at Harmony Hall, St. Michael or such other place as may be decided upon by the Executive Council of the Union.

2. Objects

The objects of the Union shall be as follows:-

- (i) To secure the complete organisation in the Union of all workers employed in all the trades, industries and occupations in this island.
- (ii) To obtain and maintain just wages, reasonable working hours, holidays and other conditions of employment, and generally to protect the interests of its members.

- (iii) To secure legislation which will safeguard and improve the economic security and social welfare of workers, protect and extend our democratic institutions and civil rights and liberties.
- (iv) To stimulate support for the principle that our country's natural resources and means of production be developed primarily for the satisfaction of human needs rather than for private profit.
- (v) To regulate the relations and settle disputes between members and employers, between one member and another and between members and other workers, by amicable agreements whenever possible.
- (vi) To establish and maintain gender parity.
- (vii) To defend and promote the interests of young members and future generations; the retired and the elderly; the socially excluded and persons with disabilities.
- (viii) To establish a social dimension to regional integration by promoting Tripartite Consultation both at the national and regional level, and by assisting in the required capacity building to ensure that trade unions within the region can effectively influence policy

decisions and promote social justice as an integral factor in economic development.

- (ix) To provide for members any or all of the following benefits and such others as the Annual Conference may decide:
 - (a) Relief in sickness, accident, disablement, distress, unemployment, victimisation or trade disputes;
 - (b) funeral expenses;
 - (c) legal advice and legal assistance where necessary in connection with their employment.
- (x) To further the lawful political objects affecting the interests of the members by representation in Parliament, Local Government bodies and on all other such bodies calculated to further the interest of the members and workers generally and to employ the funds of the union, subject to the provisions of the Trade Union Act, in furthering such representations.
- (xi) To encourage and stimulate the formation, growth and development of the Co-operative Movement, by

way of initiating and promoting and employing the funds of the Union in Co-operative Societies.

- (xii) To establish, carry on or participate in, financially or otherwise, such enterprises as are calculated to further the interest of the Union, or its members in any lawful manner which the Annual Conference may, from time to time, deem expedient.
- (xiii) The furtherance financially or otherwise, of the work or purpose of any association or federal body having for its objects the promotion of the interests of labour, trade unionism or trade unionists, subject however, to the restrictions imposed by Section 35 of the Trade Union Act.
- (xiv) Generally to promote the material. social and educational welfare of the members in any lawful manner in which the Annual Conference may from time to time deem expedient.

3. Membership

- (i) Any worker not under the age of sixteen years employed in any trade, industry, agricultural or other occupation or calling shall, at the discretion of the Executive Council, be eligible for membership.

- (ii) Any person who held membership in accordance with section (i) but whose employment was frustrated due to no fault of his/her own, shall be entitled to the benefits of membership for up to two (2) years after the date of termination once this individual continues to make monthly contributions and continues to comply with these rules.
- (iii) Any person who held membership in accordance with section (i) but who has subsequently become unemployed due to retirement, shall be entitled to the benefit of membership once this individual continues to make monthly contributions and continues to comply with these rules. This member shall upon application be transferred to the Retired Members Division, which shall function in the same manner as all of the other divisions.
- (iv) Membership shall commence from date of first payment of contributions.
- (v) Members shall pay such entrance fee and such weekly contributions as the Executive Council may, from time to time, determine.

4. Constitution and Government

The supreme authority of the Union shall be vested in the Annual Conference of delegates elected by the divisions, and subject to that authority, the Union shall be governed by the Executive Council.

5. Annual Conference

- (i) The Annual Delegates Conference shall be held in the month of August at the Head Office of the Union or at such other place as the Executive Council of the Union may from time to time determine. The General Secretary shall give to the Division Secretaries at least 6 weeks' notice of the date thereof.
- (ii) Each Division shall be entitled to representation on the following basis:

20 members or less	1 delegate
From 21 to 40	2 delegates
From 41 to 70 members	3 delegates
From 71 to 100 members	4 delegates

Thereafter one delegate for each additional 50 members or part thereof whose contributions are fully paid up.

- (iii) Delegates must be members whose contributions are fully paid up.

6. Business of Annual Conference

- (i) The business of the Annual Conference shall be:-
 - (a) To receive reports from the Executive Council;
 - (b) to review the past work of the Union, and plan future tasks;
 - (c) to elect officers and members of the Executive Council;
 - (d) to consider all matters upon the Agenda of the Conference.
- (ii) The Annual Conference shall have power to rescind, alter and add to any of these rules in accordance with rule 7.

7. Agenda of Annual Conference

- (i) (a) Resolutions for discussion at the Annual Delegates' Conference
- (b) Motions for the amendments of the rules

- (c) Nominations for the officers and the members of the Executive Council should be sent by the divisions to the General Secretary of the Union not later than four weeks before the date of the opening of the Conference.
- (ii) The General Secretary shall prepare an agenda, including resolutions, motions for the amendment of the rules and nominations for the Officers and Members of the Executive Council, and shall have that agenda published in the local daily press not later than two weeks before the opening of the Conference. Additionally, the General Secretary shall cause each individual delegate to be served with his/her conference papers including the said agenda, not later than seven (7) days before the opening of the Conference.

8. The Executive Council

- (i) The government of the Union and the conduct of its business shall be in the hands of the Executive Council.
- (ii) The Executive Council shall be composed of the President General, three Vice-Presidents, the Treasurer, the General Secretary, and eighteen

other persons to be elected biennially by ballot at the Annual Delegates' Conference. The Executive Council shall have the power to co-opt two members of any division not represented on the Council when dealing with any matter affecting such division, such co-opted members to be nominated by their divisions.

- (iii) No more than two (2) members of the Retired Members Division shall be permitted to sit on the Executive Council in any given term.
- (iv) In the event that more than two (2) members from the Retired Members Division are nominated and thereafter elected to be members of the Executive Council, the two (2) retired members with the most votes shall hold their seats while the other retired member(s) shall be superseded by the working member(s) who secured the next highest number of votes.
- (v) In the event that a member has held a seat on the Executive Council for two (2) years (one term), after his/her contract of employment has been frustrated in accordance with clause 3(ii) or has become a member of the Retired Members Division

in accordance with clause 3 (iii), he/she shall not be eligible for nomination for a second term.

- (vi) The Executive Council shall meet at least once a quarter; seven members shall form a quorum.
- (vii) In the event of any vacancy occurring among the officers of the Executive Council during the period between two Annual Delegates Conferences, that vacancy shall be filled temporarily by the Executive Council.
- (viii) In the event of a vacancy occurring among members other than officers of the Executive Council that vacancy shall be filled by the person who secured the next highest number of votes in the ballot at the last Annual Delegates` Conference; if there be no such person then that vacancy shall be filled by the Executive Council.
- (ix) In the event that the vacancy referred to in section (viii) was created by the departure of a retired member, the position may be filled by another retired member, in circumstances where this retired member had been superseded during the last election by a working member or members.

- (x) The Executive Council shall do its best to attain the objects of the Union, and shall protect its funds against extravagance or misappropriation.
- (xi) The Executive Council shall give instructions to the General Secretary and other officers for the conduct of the Union. It may appoint such organisers and such clerical staff as it may consider necessary. It may suspend or dismiss any officer or members of the staff for neglect of duty, dishonesty, incompetence, refusal to carry out the decision of the Executive Council or for any other reason which it may deem good and sufficient in the interest of the Union. It shall give instructions to the trustees regarding the investment of the funds of the Union.
- (xii) The Executive Council may discipline any member who is proved to the satisfaction of the Council to have been guilty of conduct prejudicial to the interest of the Union. The discipline may take the form of a reprimand, a suspension or an expulsion from the Organisation. Any member so disciplined shall have the right to appeal to the Annual Delegates Conference, whose decision shall be final.
- (xiii) The decision of the Executive Council shall be binding upon all members of the Union.

- (xiv) Between Meetings of the Annual Conference the Executive Council shall interpret the rules when necessary, and determine any point on which the rules are silent.
- (xv) (a) Every officer and member elected to serve upon the Executive Council shall attend all meetings of the Executive Council.
- (b) Every officer or member of the Executive Council who is unable to attend any meeting of the Executive Council shall forward to the General Secretary prior to the meeting being held, an excuse for his/her non-attendance, satisfactory to the Executive Council.
- (c) Any officer or member of the Executive Council who fails to attend three (3) consecutive meetings of the Executive Council without an excuse acceptable to the Executive Council shall automatically forfeit his/her office and/or his/her seat upon the Executive Council and the vacancy so created shall be filled in accordance with the provisions of subclauses (vii), (viii) and (ix) of this Rule.

9. Officers and Staff

- (i) The President shall be elected biennially by vote of the Annual Conference and shall serve for two years. He/she shall preside at all Annual and Special Delegates' Conferences, and Executive Council meetings, and be responsible for the proper conduct of business at all such meetings. He/she shall have a casting vote. He/she shall sign the minutes of each meeting at the time they are approved.

In conjunction with the General Secretary and Treasurer he/she shall superintend the general administration of the affairs of the Union and shall endeavour to secure the observance of these rules by all concerned.

- (ii) The General Secretary shall be elected by a ballot vote at an annual conference and shall hold office during the pleasure of the Union.
 - (a) He/she shall attend all meetings of the Executive Council and shall record the minutes; he/she shall have the right to speak, but shall not vote.
 - (b) He/she shall conduct the business of the Union in accordance with the rules and shall carry out the

instructions of the Annual Conference, and of the Executive Council.

- (c) He/she shall prepare the Annual Report of the Annual Conference. He/she shall in conjunction with the Treasurer and one of the Trustees, sign cheques on behalf of the Union.
 - (d) He/she shall prepare or cause to be prepared in accordance with the Trade Union Act an annual return to the Registrar of Trade Unions by the prescribed date, and every division shall be entitled to receive a copy of the Annual Report without payment on application to the Head Office of the Union.
- (iii) The Treasurer shall be elected biennially by a vote of the Annual Conference, and shall be eligible for re-election.
- (a) He/she shall be responsible for the financial books, and all monies belonging to the Union.
 - (b) He/she shall be responsible for the preparation of Financial Statements and their presentation to the Executive Council and for the Annual Statement

and its presentation to the Annual General Conference.

- (c) He/she shall have the right to speak but shall not vote. He/she shall, in conjunction with the General Secretary and one Trustee sign cheques on behalf of the Union.
- (iv) Any officer whose duties call for full time service on behalf of the Union shall be paid a salary, such salary to be determined by the Executive Council.
- (v) An officer whose duties involve financial responsibilities shall provide such security as the Executive Council may require.

10. Audit

A copy of the Auditor's report shall be conspicuously placed at the office of the Union.

11. Trustees

- (i) Three Trustees shall be elected at an Annual Delegates' Conference and shall hold office during the pleasure of the Union.

- (ii) The Three Trustees for the time being shall have vested in them all the real and personal property whatever belonging to the Union, and they shall deal with it in such way as the Executive Council may direct.
- (iii) A Trustee may be removed from office by the Executive Council on the grounds that owing to ill health, unsoundness of mind, removal from the Island, or for any other reason he/she is unable or unsuited to perform the duties of his/her office.
- (iv) In the event of the death, resignation or removal of a Trustee the office shall be filled temporarily by the Executive Council.
- (v) One of the Trustees in conjunction with the General Secretary and the Treasurer, shall sign cheques drawn on the current banking account on behalf of the Union.

12. Investment of Funds

The funds of the Union which are not required for capital and/or current expenditure shall, on the direction of the Executive Council, be invested by and in the name of the Trustees for the time being upon the security of

such lands, stocks, shares, funds, securities or other investments as the Executive Council shall in its absolute discretion think fit.

13. Divisions

- (i) The Union shall be divided into such Divisions as the Executive Council shall from time to time approve.
- (ii) Each Division shall be governed by a committee consisting of the President, the Vice-President, the Secretary and not less than four or more than 12 other members all of whom shall be elected by the division.
- (iii) The Officers and the Division Committee members shall be elected at the annual meeting of the Division and may not be more than twelve weeks in arrears with their contributions at the time of election.
- (iv) The Division President shall preside over all meetings and sign all minutes. He/she shall have a casting vote. He/she shall supervise the working of his division and its officers and shall have a right to inspect all its papers and books. He/she may order a special meeting of the Division or Committee to be called when necessary.

- (v) The Secretary shall keep the accounts and conduct the business of the Division in accordance with the rules, and shall carry out the instructions of the Committee. He/she shall keep a register of the names and addresses of members and, where no checkoff provisions are in place, shall collect contributions and forward them to the Head Office of the Union.

He/she shall summon and attend all Division and Committee meetings and keep records of such meetings. He/she shall have a right to speak but shall not vote. He/she shall be legally responsible for all monies and property of the Union passing through his/her hands.

- (vi) The funds of each division shall be the common property of the Union. All money, books and other property of the Union held by any division which shall secede or be dissolved, shall be at once sent to the Head Office by the officers of such division together with a detailed statement of receipts and expenditure.
- (vii) The Executive Council may suspend any division for refusal to carry out the rules or the decisions of the Annual Conference or of the Executive Council.

- (viii) A division may be dissolved by the consent of five-sixths of its financial members obtained by means of a ballot vote.

14. Levies

- (i) The Executive Council may if it considers it necessary impose a levy upon all members of the Union, and all members shall be required to pay such levy. The levy shall be collected by the division secretary and forwarded to the Head Office of the Union.
- (ii) A Division Committee may, if they consider it necessary and with the consent of the Executive Council, impose a levy upon all members of the Division, and all members of the Division shall be required to pay such levy.
- (iii) If any member fails to pay a levy within eight weeks of its imposition the amount shall be treated as arrears of contributions.

15. Strikes and Lock-Outs

- (i) In the event of any dispute arising, the members concerned shall make the same known to their divisional secretary who shall immediately report

the same to the Executive Council, but in no case shall a cessation of work be threatened or take place without the sanction of the Executive Council.

- (ii) Should any division or body of members of the Union desire steps to be taken for an advance of wages, or improved conditions of employment, the divisional secretary shall report the claim to the Executive Council who shall determine what action should be taken.

16. Legal Assistance

In accordance with the provisions of Rule 2, Par. ix. (c) the Executive Council shall upon the recommendation of the divisional committee provide for any member whose contributions are fully paid up, legal advice and legal assistance on any matter connected with his employment; provided that the Executive Council is satisfied that the case is one in which it is advisable that legal assistance shall be taken and provided also that the need for legal advice or assistance is not caused by drunkenness, wilful neglect of duty or by a criminal act on the part of the member.

17. Political Funds

The Executive Council of the Union may decide, subject to the approval of the Annual Conference, and subject also to a ballot vote as prescribed in the Trade Union Act, to obtain and provide funds for the purpose of guaranteeing the political funds of the Union. Such funds may be expended only for lawful political purposes. In the event of the ballot of members approving according to the law the adoption of political objects, rules for the political funds shall be made and submitted to the Registrar of Trade Unions for his/her approval.

18. Educational work

The Union may undertake the education of its members through meetings and classes. It may also publish literature and take such other action as will promote their industrial, cultural, social and political knowledge.

19. Benefits

Dispute Pay:- Any member becoming out of work by reason of being involved in a trade dispute authorised by the Executive Council and having complied with these rules shall receive such amounts as the Executive Council shall determine until such time as the Executive Council

shall declare the dispute closed if he/she should so long remain out of work.

Sick Pay:- The Executive Council may in its absolute discretion determine how much, if any sick pay shall be made to members who have fallen ill or have suffered injury. In making any such decision the Council shall take note of the level of social security benefits available as well as the members entitlement to any other sickness or injury benefits.

Funeral Benefits:- On the death of a member not disentitled to benefits under the rules, the sum enumerated in the following scale shall be payable:

Up to five years' membership\$ 50.00
6 years membership\$ 60.00
7 years membership\$ 70.00
8 years membership\$ 80.00
9 years membership\$ 90.00
10 years membership\$100.00
11 years membership\$120.00
12 years membership\$130.00
13 and upwards\$200.00

20. Suspension or Reduction of Contributions

The Executive Council shall have power in its discretion to suspend or reduce a member's contribution if it deems fit.

21. Contribution Cards

Every member shall be supplied with a card to be fixed by the Executive Council, on which shall be entered his/her contribution and arrears. Any member losing or defacing his/her card shall be supplied with another on payment for it. Members' cards to answer as a summary for arrears; in any case where members' cards are not produced the Union's Books shall decide disputes.

22. Officers not to be in arrears

Should any officer in any capacity whatever of this Union or of any Division of it suffer his/her contribution to be in arrears to the amount stated in Rule 25 or ceases to be a member of the Union, his/her office shall become vacant and another shall be appointed in his/her stead.

23. Qualification for Benefits

To receive any benefits a member must have been initiated 6 months, have paid 26 weeks' contribution and not be under suspension.

Any member losing his/her employment through drunkenness, disorderly conduct or wilful breaking of time, shall not be entitled to receive benefits.

In case of sickness, a member must supply his/her Division Secretary with a certificate of incapacity for work from a qualified Medical Practitioner whose name is on the Medical Register, along with his/her contribution card.

24. Regulation of Benefits

Any member confined in a Lunatic Asylum or an Institution under the control of the Poor Law Authorities, shall not be entitled to any benefits paid by the Union, provided that the Executive Committee may in its discretion award appropriate benefits in suitable cases.

25. Disqualification of Benefits for Arrears of Contributions

If a member allows his/her arrears of contribution to exceed twelve weeks he/she shall be suspended from all benefits until he/she has paid off the whole of his/her arrears and has paid his/her contribution for a further 13 weeks and should he/she allow his/her dues and demands to exceed 26 weeks he/she shall cease to be a member, but his/her Division shall have power to admit him/her as a full member on the payment of his/her arrears, and subject to his/her being suspended from all benefits for three months after payment of such arrears.

26. Members to be Clear on the Books

Any member making a claim for any of the benefits shall produce his/her contribution card, and the Treasurer shall, before paying the member any benefits, deduct all arrears of contributions, fines and levies so that all members shall be clear of arrears whilst in receipt of benefits.

27. Members to Nominate

The General Secretary shall keep a book in which he/she shall record nominations made by members in writings signed by them and delivered at or sent to the Registered

Office, of the person to whom the funeral money shall be paid on their decease, such persons not being an officer or servant of the Union, unless such officer or servant be the husband, wife, father, mother, child, brother, sister, nephew, or niece of such member. Any member may revoke or vary such nomination by a written notice to that effect signed by himself/herself and delivered or sent as aforesaid.

In the event of the death of a member without having made a nomination as aforesaid, the Union shall be entitled to pay the amount to the widow, husband, child, or other relative of the deceased member or to such other persons as the Union shall think equitably entitled thereto, or the Trustees may apply the same in or towards the payment of the funeral expenses of the member.

28. Certificate of Death

No money should be paid upon the death of a member or other person whose death is, or ought to be entered in any register of death (not being a death at sea), except upon the production of a certificate of such death, under the hand of the Registrar of Deaths, or other person having the care of the Register of Deaths, in which such death is or ought to be registered.

29. Financial Year and Division Balances

The financial year of the Union shall be from January 1st to December 31st inclusive.

30. Application of Funds

All monies received on account of contributions, admissions and fines shall be applied towards carrying out the objects of the Union according to the rules. Any officer mis-applying the funds of the Union shall repay the same and be suspended from all office in the Union, without prejudice to his/her suspension, expulsion from membership or prosecution for such mis-application.

31. Settlement of Disputes

If any dispute arises between any member or person claiming through, under, or on account of any member, or under the rules and the Union or the Committee or any officer or between one division and another, or between a division and the Union, Trustees, Treasurer, or an officer of the Committee, it shall be referred to the Executive Council for settlement, whose decision shall be final.

32. Trade Grievances

All trade grievances shall be submitted to the Executive Council previous to any action being taken. Any member or number of members acting contrary to this rule shall be liable to suspension from all benefits.

33. Respect of Members to Officers

Any member being guilty of disrespectful conduct to any official of the Union, while the latter is carrying out his/her duties, shall be subject to such disciplinary measures as the Executive Council may reasonably determine from time to time. In the case of assault, the member may be liable to expulsion.

34. Unpaid Fines or Levies

All fines or levies not paid within 8 weeks of the date on which the member liable was notified of his or her imposition shall be counted as arrears of contributions.

35. Victimisation

If, in the opinion of the Executive Council, any official as the result of acting in his/her official capacity or any member as the result of acting on the instructions of

the Executive Council or any Committee loses his/her employment he/she shall be entitled to Victimisation Pay of such amounts as the Executive Council may decide. Where possible a financial member must be chosen to carry out the instructions of the Executive Council or Committee. Victimisation Pay shall be paid until such time as the Executive Council decides such pay shall be discontinued.

36. Inspection of Books

Any member or person having an interest in the funds of the Union, wishing to examine the books and the names of the members, may do so at all reasonable times, at the place where the books are kept, and it shall be the duty of the Secretary to produce such books accordingly.

37. Members to have Rules

In order that no member may plead ignorance of the rules of the Union, it shall be incumbent on the Secretary to supply each member with a copy of the same at the time of his/her admission. Any member requiring another copy may have one on payment of a price fixed by the Executive Council.

38. Matters to which no Rule applies

If any question arises either as to the meaning of any of these Rules or as to any matter upon which these Rules are silent the same shall be settled by the Executive Council whose decision shall be final and binding.

39. Resolutions

Any resolution (except where a special majority is required by any Act of the Legislature on these Rules) shall be sufficiently carried if passed by a majority of the members present at a meeting; and a certificate signed by the Chairman of the meeting that a resolution has been passed shall be evidence of the same having been duly passed unless the contrary is proved.

40. Ballot

Any ballot under these Rules may be taken in such manner and at such times as the Executive Council may approve. Provided that the purpose of Sec. 35 of the Trade Union Act a ballot shall be taken in the following manner:-

Each member of the Trade Union shall be provided with a ballot paper which shall have an official number printed on the back and shall have attached a counterfoil with

the same number printed on the face. On the ballot paper shall be clearly printed the resolution in relation to which the ballot is to be taken with two ruled spaces opposite the words "Yes" or "No". The ballot papers shall be distributed to members by the Secretary of each division and shall bear an official mark on each side with the number of each member in the register of members of the Trade Union. Each member shall place an "X" opposite the words "Yes" or "No", and the ballot paper shall then be folded and dropped through a slot in a sealed box to be provided by each Division of the Trade Union. When the ballot is completed the boxes shall be delivered sealed to the Secretary of the Trade Union and shall be opened on a day appointed by the Executive Council- of which due notice shall be given by advertisement in two issues of a public news- paper - in the presence of such members of the Trade Union as shall attend. When the counting of the ballot papers has been completed the Executive Council of the Trade Union shall declare the result of the ballot and the ballot papers shall be placed in a box and sealed and kept in the custody of the Secretary of the Trade Union for twenty-one days. Ten members of the Trade Union may demand a recount within 21 days but after 21 days have lapsed the decision of the Executive Council as to the result of the ballot shall be final and conclusive.

41. Service of Notices

Any notice to a member shall be deemed to have been served if left at, or sent by prepaid post to the last known address of the member. General Notices shall be given by advertisement in one or more newspapers.

42. Irregularity not to vitiate Proceedings

Any accidental irregularity in the election or qualifications of any member to any office, or in the qualifications of any person holding office, shall not invalidate or vitiate any proceedings or meetings in which such person has taken part, nor shall an accidental irregularity in the convening or holding of any meeting or the holding of a ballot, invalidate or vitiate such meeting or ballot.

43. Suspension and Expulsion of Members

The Executive Council shall have power to suspend or expel any member who in their opinion shall have been guilty of any of the following forms of misconduct:-

- (a) Wilful and material mis-statement or omission upon his or her application for membership.

- (b) Making of any fraudulent claim upon the Union or receiving benefits from the Union when not entitled thereto.
- (c) Misappropriating or wrongfully converting or withholding or misapplying any money or property of the Union.
- (d) Tampering with, falsifying or otherwise misusing any books or other documents of the Union.
- (e) Wrongfully obtaining possession of or refusing to give up when in his or her possession any books, keys, papers or other documents or effects belonging to the Union or any division thereof.
- (f) Refusing to sign or execute any cheque, transfer, deed or other document to which his or her signature or execution is required.
- (g) Refusing or failing to obey any of the rules or comply with any by-law or order authorised by these rules.
- (h) Failing to render proper account of any receipt or payment of monies belonging to the Union.

- (l) Failing to pay any contribution, subscription levy or fee due to the Union or any fine imposed by the Union.
- (j) Acting in any way contrary to the interest of the Union.
- (k) Repeated and serious wilful breach of the law.
- (l) Larceny or other felony.
- (m) Insulting or slandering or libelling any of the officials of the Union.

The Executive Council may, instead of suspending or expelling a member, take any other action as may be in keeping with the nature of the offence. Notwithstanding any such suspension, expulsion or other action, the Union shall be at liberty to take any other step which it may lawfully do in respect of any such offence.

Any member so suspended, expelled or fined by the Executive Council shall have the right to appeal to the Annual Conference.

A division Committee shall have the power to suspend any member who in their opinion is guilty of any misconduct

for which he/she is liable to be expelled, suspended or fined by the Executive Council. Such suspension shall operate until the next meeting of the Executive Council.

Any member who is accused of offence shall before he/she is suspended, expelled or fined have the right (at his or her own expense) to attend the meeting of the Division Committee, Executive Council or Annual Conference (as the case may be) at which the charge is being considered, and to hear all evidence alleged against him or her, and to call any evidence in defence. If, after being given the opportunity to attend the meeting, the member does not attend, the Division Committee, Executive Council, or Annual Conference (as the case may be) may proceed to act in his or her absence.

Any member attending before the Executive Council or Annual Conference in connection with any charge brought against such member, if he or she be acquitted of the charge, shall be entitled at the discretion of the Executive Council or Annual Conference as the case may be to be repaid reasonable expenses of the member and any necessary witness.

44. Dissolution of the Union

If at any time any of the members should require dissolution of the Union a requisition to that effect signed by not less than one—tenth of the financial members of the Union, shall be presented to the President, who shall instruct the General Secretary to issue to every Division the purport of the requisition and summon the Executive Council who shall call a general meeting of each Division, and if it is proved on a ballot that two-thirds of the members in full benefits in the Union are in favour of dissolution, the General Secretary shall forward to the Registrar, in the form prescribed by law, a notice of the decision arrived at and the funds shall be equally divided amongst all financial members.

45. Alteration of Rules

These rules shall be altered only in accordance with the procedure laid down in Rule 7.

BWU POLICY STATEMENT
TO THE 60TH ANNUAL DELEGATES' CONFERENCE
OF THE
BARBADOS WORKERS' UNION
on Saturday 25 August, 2001
at Solidarity House, Harmony Hall, St. Michael

Anyone who has been taking time out to follow what we have been doing in The Barbados Workers' Union will note that, while we have remained true to the basic principles governing the organisation sixty years ago, we have, at the same time, been incrementally adjusting our policy and our action programmes to accommodate the changes which we anticipate, not merely within our Barbados environment, but within the wider Caribbean region, as well as our view of our position as a trade union within those global affairs that impact on us.

Our Mission Statement clearly underscores this effort on our part. We seek to be an excellent trade union provider of labour market services in Barbados and the Caribbean, and to improve the quality of life of all Barbadians through participatory representation. We see our task today, as "we did before, as the pursuit for our membership and the wider society of the goals of bread, justice, equality of opportunity, peace and democracy. Naturally, these are not all achieved using the same methodologies and we

have, from time to time, to adjust those means of action to accommodate the circumstances.

We have sought, as well, to add regional trade union solidarity to our objectives, gender equilibrium, youth participation and social inclusiveness for previously excluded or marginalised persons, including those who are ill; those who have HIV/AIDS; those who are mentally or physically disabled; and we have considered that it is important for us to include those persons who are denied the opportunity of having formal employment, or who have had to find employment, or who have had to find employment in the non-regulated sectors of our economic activity.

The dimensions of our activities have extended and now include, along with the old the roles of negotiator, agitator, lobbyist, opportunity provider, guide, guardian, and leader in new economic ventures; provider of counseling services, educator, trainer, retooler, advocate (either directly or via legal professionals), provider of schools' outreach programmes, provider of community outreach programmes, and the list goes on.

Our preferred methods of treating with those persons whom we need to deal with is, first of all, with the employer through bipartite discussion accepting the classic model

where we are protagonists today or protagonists over a specific issue, but where we are co-operators later today or tomorrow and co-operators in those other issues where we are not, for the time being, into the protagonist mode. This sees us in a situation where we will fight over those matters where the interest of the worker and the interest of the employer for the moment happen to be divergent, but where when once those interests have been satisfied, the parties will work together towards the common objective of improving the establishment, understanding that to mean the improvement as well of the worker.

Another preferred approach for us is the tripartite discussion of social partners who recognise their shared responsibility for the labour market- each one understanding that it has as much of a responsibility as the other for what happens in the labour market and what happens to persons who are excluded, in one way or the other, from the functioning of that labour market.

The Barbados Workers` Union prefers the labour management approach which is based on voluntarism - the system where the government permits the employers and the trade unions, with minimum government interference, to conduct labour management affairs and to reach levels of satisfactory relationships which the parties feel they can properly live with, the understanding

being that the government still has to set down certain minimal standards below which the players will not go, and those minimal standards being as well intended to cover those areas where there is no interface between the trade union and the employers for whatever reason. The method of voluntarism permits integrity and honour to govern the bargain in the market place, for it has been the experience of The Barbados Workers' Union, indeed, the experience, I would think, of most trade unions, that an agreement which is the result of negotiations, discussions and eventual compromise is one which the parties on both sides are going to be more able to keep in place and to respect.

What we have said so far relates to preferred methods, but in our policy, we have to be conscious that we may have to treat with methods that are not the preferred ones. We prefer to have meaningful, peaceful dialogue where the parties are able to meet at domestic level and resolve any issues which there may be - however difficult that may appear to be. We believe that the word of a party to labour management relations, when once given, is part of the bond of the relationship, and no effort should be made to depart from that word except by admitting that the commitment was made and seeking to negotiate a change in the face of changing circumstances. We believe that trust and understanding must be the underpinning

of any relationship, for it is only when parties trust and understand each other or, in the tripartite mode, trust and respect one another, that we will be able to attack problems together rather than to attack each other or, as the case may be, one another.

We submit that there must be an arrangement for shared responsibility with employers to channel the resources of workers in the national response to globalisation and trade liberalisation. We think that the shared response must be at the level of equal partners understanding the issues and being unwilling to shirk their responsibilities. Within the model of our relationship we believe we have, from time to time, the responsibility to speak to our constituent members firmly, without embellishment and without being afraid of the consequences of our forthrightness when, in our view, they are embarked on actions which are likely to be detrimental to our own welfare, to the welfare of the establishment for which they work, to the well-being of our country and to the proper development of our region. Work must be seen, in our view, to be a motivator inspiring the individual to be at his or her creative best and it must be a medium through which the individual can feel respected and can be inspired to give respect.

We believe that we have an equal right to speak without embellishment to employers, to governments, to other

elements within civil society. We have a responsibility to speak out against any action within society that we consider to be an action that attacks the general workforce or the general masses of people of the country, and where those matters relate to labour market issues, we consider that our responsibility, in the final analysis, is to use whatever legitimate means lie within our power to advance the cause of our constituents and the wider labour force.

Our policy is not one which will lead us to seek out fights or to cause us to want to engage in sabre rattling. From time to time, however, the interest of our constituents will lead us to such a position, and our policy is, and will continue to be, not to be pushed aside because what we seek to do may not be pleasing in the eyes of some non-constituent persons with whom we happen to interface from time to time. Nor will our policy permit us to apologise where, on such occasions, we may have to take the ultimate action in order to achieve a desired objective on behalf of a body of persons. What Barbados can be assured of is our continuing policy commitment, under God, to put our country first, and to seek under the strict rubric of the greatest good for the greatest number, to endeavour always to act in such a way that we are performing whatever task and however unpleasant it may be in the overall better interest of the entire society.

The Barbados Workers' Union continues to be a political organisation although it must be said that it does not intend, at least in the foreseeable future, to be such a political institution as the standard political parties are political organisations. However, like them, we respond to demands by constituents made through democratic processes and we endeavour to influence the living standards and the good and the welfare of the country as a whole by our agitation and our advocacy endeavours. Such action on our part has led us into discussions with political parties of a regular nature, and sometimes have brought us into confrontation with some of the said parties. The policy of The Barbados Workers' Union is, and continues to be, to seek to build working relationships and obtain respect from, and mutual cooperation with, whichever party forms the government, as well as with the opposition party of the day, without in any way permitting that governing party or that opposition party to dictate the views or the action of The Barbados Workers' Union.

We support a pluralistic view of politics and so insist that any member, either of the Executive Council or the general membership or the staff, must be able to pursue his or her preferred political party interest without having himself or herself become the subject of discriminatory action either within the Union or outside of it. And so, at

the national level, we are opposed to any form of political discrimination or victimisation.

We are opposed to advancement or preferment on the basis of political affiliation, believing instead that merit and where it does happen that seniority is a factor, merit and seniority should be the governing factors of preferment. We believe in cooperation between parties and among persons, and insist that the cooperation should be on the basis of mutual respect, sharing of kindness and an appreciation of the dignity of the individual and where an individual's dignity is compromised in any way by another party, we abhor that. We, therefore, are totally dissatisfied with the level of violent mistreatment of persons by persons in the country. We abhor the level of crime and we are disappointed by the lack of firm action at the final level of discipline within the country which is a major reason, in our view, for misdirected behaviour where persons are clearly of the view that no action will be taken to deter those who are clearly committed to terrorising the lives of the innocent.

We do not denounce profit; rather, we appreciate that the basis for national development has shifted significantly from the combination of public or publicly financed fuelling with significant ex-patriate exploitation of labour in primary and simplistic secondary economic activities. The new

focus is on growth by development of small and medium-sized enterprises, many of them financed and managed by local and regional business persons. We accept that there must be a fair and reasonable return on their investment. We, however, feel that there must be similar consideration for those workers who assist in the making of profits and we insist, therefore, that work must be decent work according to the definition of the International Labour Organisation (ILO). It must be work that is freely chosen; it must be able to meet the reasonable needs of reasonable persons for themselves and for their families and the relationship of the worker with the enterprise should be one where wealth that may be created by the combined efforts of management and worker is not wealth that is the preserve only of the management or owner, but rather is shared in some manner beyond basic wages with those who help to create it.

We are satisfied that concessionary bargaining, which years ago had no place in the vocabulary of labour management relations, constitutes a proper basis for discussions between labour and management, particularly in the changed economic and social conditions that are before us in this country. We are, however, of the view that within such bargains there is the need for greater transparency and the need for a greater sharing of information between the various levels of workers and

between the management workers and non-management workers.

The Barbados Workers' Union is strongly of the view that enlightened employers must, like enlightened trade unions, make every effort within their power to influence other employers and managers to conduct the labour management relations within this country to the overall advantage of all of the people and not merely a select few of the people. In these circumstances, we are firmly of the view that codes of conduct must become part of the industrial relations environment and that influential employers whose businesses interface with others on an ongoing basis must be willing to sign on to the implementation of such codes of conduct as indeed the practice is in many other parts of the world where progressive employers are willing to use their wealth and influence to create a better social environment in which justice and equality of opportunity are part of the fundamentals.

Let me finally underscore, for the benefit of the public, some of those areas of action and commitment which will continue to guide and govern the activity and programmes of The Barbados Workers' Union beyond our Diamond Jubilee.

The Organisation continues to be committed to the promotion of a culture of joint responsibility which will lead to greater workforce participation in the safeguarding and development of the means of production, both at the local level and at the national levels.

We are committed to the encouragement of a national response to change which will lead to increased levels of productivity and renewed personal commitment to work and to the work ethic;

We are committed to the development of increased numbers of training, retraining and retooling programmes to form the basis for the physical and psychological re-adaptation being pursued;

We are committed to the education for, and the promotion of, a vigorous buy-local programme which should complement a management initiative to improve the local product and to make it more affordable;

And we are committed to work through influence, education, consultations - singly or in conjunction with other unions and with our social partners - to protect and to enhance Barbados' work, and to seek to restore it to its previous position of eminence in the region and to do so

urgently given the implications flowing from the initiative within a Caribbean Single Market and Economy.

We hope with God's guidance and with the support and cooperation of government and from employers; we hope that with the proper respect from all levels within the society in whose behalf we work, both locally and overseas, to be able to work together in developing a better labour market which will redound to the credit of all men and women, all children, those now employed and those yet to find employment, and thereby to bring about the just society that we all seek and pray for.

Senator Sir Roy Trotman

General Secretary: 1992-2014
The Barbados Workers' Union