

RULE



<u>Independent Workers</u> <u>Union of Great Britain</u>



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Chapter 1: Name, Location, Objectives, and Rules

Rule 1: Name

1.1 The Union shall be called "The Independent Workers' Union of Great Britain (IWGB)".

Rule 2: Registered Office

2.1 The Union's Registered Office shall be at Room 1, 15 Old Ford Road, London, E2 9PJ.

Rule 3: Aims

- 3.1 The Union shall have the following aims:
 - · Improve pay, terms and conditions of the members;
 - Increase members' power at work and in society; and
 - Work for the alleviation of poverty.

Rule 4: Modification of Rules

4.1 Union rules may only be modified by a two-thirds majority vote of the Executive Committee or Annual General Meeting.

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Chapter 2: Governance

Rule 5: Democratic Structure

- 5.1 The <u>Annual General Meeting (AGM)</u> is the highest decision-making authority in the Union and its decisions can supersede decisions taken by any other body.
- 5.2 The <u>Executive Committee</u> is the Union's supreme decision-making body in between <u>AGM</u>s and its decisions can supersede decisions taken by any other body.
- 5.3 The <u>Executive Committee</u> elects members of, and delegates responsibilities to, various <u>Sub-Committees</u>. These Sub-Committees can take decisions on behalf of the <u>Executive Committee</u> within their defined remit, although their decisions can be reversed by the <u>Executive Committee</u>.
- 5.4 The <u>General Secretary</u> is responsible for the day-to-day running of the Union, including all unelected staff, and is subject to rules and policies decided by the <u>AGM</u>, <u>Executive Committee</u>, and relevant <u>Sub-Committees</u>.
- 5.5 The <u>branches</u> take democratic decisions through membership meetings, elected committees, and/or elected officials, but decisions must be consistent with, and can be superseded by, rules and decisions of the <u>AGM</u>, <u>Executive Committee</u> and relevant <u>Sub-Committees</u>.
- 5.6 Meeting minutes, and decisions on motions, policies, and rules must be recorded on forms approved by the <u>Democracy Sub-Committee</u> or the <u>Executive Committee</u>.

Rule 6: Annual General Meeting (AGM)

- 6.1 Decisions at the AGM shall be taken by delegates, elected by branches, on a proportional representation basis. All <u>Executive Committee</u> members shall also be delegates.
- 6.2 All IWGB members shall be entitled to propose motions to be voted upon at the AGM.

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- 6.3 Uncontested candidacies for Central Union officer roles shall also be approved or rejected by delegates. If candidacies for these roles are contested, they must be decided by postal ballot.
- 6.4 The <u>Democracy Sub-Committee</u> shall be responsible for implementing Rules 6.1-6.3 as well as deciding dates, agendas, and any other matters related to the AGM.

Rule 7: Executive Committee

- 7.1 The Executive Committee shall consist of Central Union Officials and Branch Officials.
- 7.2 The Central Union Officials shall be: <u>General Secretary</u>, <u>President</u>, <u>Vice-President</u>, <u>Treasurer</u>, <u>Women's and Non-Binary Officer</u>, <u>Co-BAME Officers</u>, and the <u>Branch</u> <u>Support Officer</u>.
- 7.3 All Branch Chairs shall be *ex-officio* members of the Executive Committee. Further Branch Officials may be *ex-officio* members of the Executive Committee on a proportional representation basis. The precise composition of Branch Officials shall be decided each year in advance by the Executive Committee, with input from the <u>Democracy</u> and <u>Equalities</u> Sub-Committees.
- 7.4 The Executive Committee shall elect a Chair and a Vice-Chair, from among its members, after each <u>AGM</u>. The Chair shall have responsibility for deciding the agenda and running meetings. When the Chair is absent, the Vice-Chair shall take their place. If both are absent, the duty falls to the General Secretary. Neither the Chair nor the Vice-Chair shall be any of the General Secretary, President or Vice-President.
- 7.5 The Executive Committee may make policy in any area, including areas covered by the Sub-Committees.
- 7.6 All motions must be submitted one week in advance and any proposed amendments brought to the meeting in writing.
- 7.7 Agendas for meetings shall be distributed to Executive Committee members and the general membership five days in advance of the meeting.

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- 7.8 Minutes of meetings shall be distributed to Executive Committee members in advance of the following meeting each month.
- 7.9 Decisions on motions, including records of how Executive Committee members voted, shall be distributed to the general membership each month.

Rule 8: General Secretary

- 8.1 The General Secretary shall be elected by delegates at the <u>AGM</u> (if uncontested) or by a postal ballot of the entire membership (if contested).
- 8.2 The General Secretary shall be an *ex-officio* member of the <u>Executive Committee</u>, the <u>Human Resources Sub-Committee</u>, and the <u>Legal Department Sub-Committee</u>.
- 8.3 The General Secretary shall be responsible for Central Union staffing decisions and all <u>unelected paid staff</u> shall feed into a reporting line which ultimately ends with the General Secretary.
- 8.4 The General Secretary shall be responsible for ensuring the Union implements decisions and strategies of the <u>AGM</u>, <u>Executive Committee</u>, and relevant <u>Sub-Committees</u>.
- 8.5 The General Secretary shall work with the <u>Treasurer</u> to formulate, present, and implement budgets.
- 8.6 The General Secretary shall have authority to enter into legal agreements and sign contracts on behalf of the Union. The General Secretary shall also have the ability to authorise other senior Officials or staff members to enter into legal agreements and sign contracts on behalf of the Union.
- 8.7 The General Secretary shall have authority to decide which legal cases are brought, defended, or supported by the Union. The General Secretary may also delegate this authority to suitably qualified Officials or staff.

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Rule 9: President

- 9.1 The President shall be elected by delegates at the <u>AGM</u> (if uncontested) or by a postal ballot of the entire membership (if contested).
- 9.2 The President shall be an ex-officio member of the Executive Committee.
- 9.3 The President shall be an *ex-officio* member of the <u>Legal Department Sub-</u>Committee.
- 9.4 The President shall assist the <u>General Secretary</u> in their duties and shall stand in for the <u>General Secretary</u> in their absence.
- 9.5 The President shall support organising initiatives and campaigns across the Union.

Rule 10: Vice-President

- 10.1 The Vice-President shall be elected by delegates at the <u>AGM</u> (if uncontested) or by a postal ballot of the entire membership (if contested).
- 10.2 The Vice-President shall be an *ex-officio* member of the Executive Committee.
- 10.3 The Vice-President shall assist the <u>General Secretary</u> and the <u>President</u> in their duties and shall stand in for the <u>President</u> in their absence.

Rule 11: Treasurer

- 11.1 The Treasurer shall be elected by delegates at the <u>AGM</u> (if uncontested) or by a postal ballot of the entire membership (if contested).
- 11.2 The Treasurer shall be an *ex-officio* member of the Executive Committee.
- 11.3 The Treasurer shall be responsible for administering the funds of the Union.

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- 11.4 The Treasurer shall be responsible for submitting the Union's annual return as well as for any other financial regulatory requirement.
- 11.5 The Treasurer shall work with the <u>General Secretary</u> to formulate, present, and implement budgets.
- 11.6 The Treasurer shall work with and assist Branch Treasurers with their duties.
- 11.7 The Treasurer shall report regularly to the <u>Executive Committee</u> on the Union's finances.
- 11.8 The Treasurer shall report on the Union's finances to the AGM.
- Rule 12: Women's and Non-Binary (WNB) Officer
- 12.1 The WNB Officer shall be elected by women and non-binary delegates at the <u>AGM</u> (if uncontested) or by a postal ballot of the entire women and non-binary membership (if contested).
- 12.2 The WNB Officer shall be an ex-officio member of the Executive Committee.
- 12.3 The WNB Officer shall be an *ex-officio* member of the <u>Equalities Sub-Committee</u>.
- 12.4 The WNB Officer shall represent and promote the interests of women and non-binary members of the Union, both internally and externally.
- 12.5 The WNB Officer shall work with and assist Branch WNB Officers with their duties.

Rule 13: Co-BAME Officers

- 13.1 The Union shall have two Co-BAME Officers to represent and promote the interests of Black, Asian, Latinx and Minority Ethnic members, both internally and externally.
- 13.2 One Co-BAME Officer shall be elected by BAME delegates at the <u>AGM</u> (if uncontested) or by a postal ballot of the entire BAME membership (if contested).

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- 13.3 The other Co-BAME Officer is reserved for BAME women and non-binary members. This role shall be elected by BAME women and non-binary delegates at the <u>AGM</u> (if uncontested) or by a postal ballot of the entire BAME women and non-binary membership (if contested).
- 13.4 The Co-BAME Officers shall be *ex-officio* members of the <u>Executive Committee</u>.
- 13.5 The Co-BAME Officers shall be *ex-officio* members of the <u>Equalities Sub-Committee</u>.
- 13.6 At least one of the Co-BAME Officers must serve on both the <u>Human Resources</u> and the <u>Legal Department Sub-Committees</u>.
- 13.7 The Co-BAME Officers shall work with and assist Branch BAME Officers with their duties.

Rule 14: Branch Support Officer

- 14.1 The Branch Support Officer shall be elected by delegates at the <u>AGM</u> (if uncontested) or by a postal ballot of the entire membership (if contested).
- 14.2 The Branch Support Officer shall be an *ex-officio* member of the <u>Executive</u> <u>Committee</u>.
- 14.3 The Branch Support Officer shall be an *ex-officio* member of the <u>Democracy Sub-Committee</u>.
- 14.4 The Branch Support Officer shall encourage branch-level activists to run for elected positions and support elected Branch Officials, in particular those on the <u>Executive Committee</u>, with the carrying out of their duties.

Rule 15: Sub-Committees

15.1 The Union shall have the following permanent Sub-Committees: <u>Democracy</u>, <u>Equalities</u>, <u>Legal Department</u>, <u>Disciplinary</u> and <u>Human Resources</u>.

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- 15.2 The <u>Executive Committee</u> may further vote to create temporary Sub-Committees with delegated powers.
- 15.3 Sub-Committees shall consist of five Executive Committee members.
- 15.4 Sub-Committee members must be elected by the <u>Executive Committee</u> to serve on the relevant Sub-Committee.
- 15.5 Sub-Committees shall elect a Chair from among their number. Sub-Committee Chairs are responsible for convening Sub-Committee meetings, deciding agendas, and ensuring minutes are taken. Sub-Committee Chairs may also cast tie-breaking votes.

Rule 16: Branches

- 16.1 All members of the Union shall be members of one branch of the Union.
- 16.2 The formation, merger and dissolution of branches shall be decided by the <u>AGM</u> or <u>Executive Committee</u>.
- 16.3 Branches, their members, and Officials are bound by this Rule Book, as well as decisions of the <u>AGM</u>, <u>Executive Committee</u>, and relevant <u>Sub-Committees</u>. If there is inconsistency between branch decisions and decisions of the <u>AGM</u>, <u>Executive Committee</u>, or relevant <u>Sub-Committees</u>, those of the <u>AGM</u>, <u>Executive Committee</u>, or relevant <u>Sub-Committees</u> prevail. The <u>AGM</u>, <u>Executive Committee</u>, or relevant <u>Sub-Committee</u> may also invalidate or overrule any branch decisions.
- 16.4 Branches shall be responsible for running campaigns and low-level casework.
- 16.5 Branches shall be entitled to retain a percentage of the membership dues paid by their members. The exact percentage shall be determined by the Executive Committee.
- 16.6 Branches must hold a Branch Annual General Meeting (AGM) once per year during the month designated by the <u>Democracy Sub-Committee</u>.

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16.7 Branches shall hold regular branch meetings where members or elected Officials may vote on motions and policies to decide the direction of the branch. Meetings may be open members' meetings, Branch Executive Committee meetings, Regional Group meetings, and/or some combination of the above. The precise democratic arrangements however must be agreed by the Democracy Sub-Committee.

16.8 All branches shall have elected Officials which include Chair, Vice-Chair, Secretary, Treasurer, BAME Officer, and Women's and Non-Binary (WNB) Officer. Branches may create and elect more Officials if they wish. All Officials must be elected by the membership at Branch AGMs, or if a vacancy arises mid-term, by the decision-making body of the branch. Contested elections for Branch Official positions which are *ex-officio* members of the <u>Executive Committee</u> must be decided by postal ballot, to be run by the <u>Democracy Sub-Committee</u>.

16.9 Branch Chairs shall be *ex-officio* members of the <u>Executive Committee</u>. They shall also be the lead spokesperson for their branch and be responsible for convening and running branch meetings.

16.10 Branch Vice-Chairs shall be responsible for assisting the Branch Chair in their duties.

16.11 Branch Secretaries shall work with the Chair and Vice-Chair as part of the Branch leadership team. Branch Secretaries shall also ensure that proper minutes are taken of branch meetings.

16.12 Branch Treasurers shall be responsible for administering branch funds. They shall also report regularly to branch meetings and the branch AGM on the state of the finances.

16.13 Branch BAME Officers shall represent and promote the interests of Black, Asian, Latinx and Minority Ethnic members of the branch, both internally and externally. Branch BAME Officers shall be elected by branch BAME members only.

16.14 Branch WNB Officers shall represent and promote the interests of women and non-binary members of the branch, both internally and externally. Branch WNB Officers shall be elected by branch WNB members only.

16.15 Rules 16.3-16.14 shall not apply to the Holding Branch.

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Rule 17: Holding Branch

- 17.1 Prospective members who are ineligible to join other IWGB branches may, subject to rules determined by the <u>Democracy Sub-Committee</u>, join the Holding Branch.
- 17.2 The purpose of the Holding Branch is to identify groups of workers who may be encouraged and supported to form their own <u>branches</u> of the Union.
- 17.3 The Holding Branch shall not be entitled to elect Officials or send delegates to the <u>AGM</u> nor shall it be entitled to keep any proportion of the membership dues its members pay.
- 17.4 Decisions affecting the Holding Branch fall under the remit of the <u>Democracy Sub-Committee</u>.
- 17.5 Members of the Holding Branch shall be entitled to support from the <u>Legal</u> <u>Department</u> in line with <u>Legal Department</u> rules and policies.
- 17.6 Members of the Holding Branch shall not be entitled to support with workplace campaigns.

Rule 18: Democracy Sub-Committee

- 18.1 The Democracy Sub-Committee shall be responsible for implementing Rules 6.1-6.3 as well as deciding dates, agendas, and any other matters related to the <u>AGM</u>.
- 18.2 The Democracy Sub-Committee shall be responsible for the management of and rules affecting the <u>Holding Branch</u>.
- 18.3 The Democracy Sub-Committee shall set the rules for and oversee Union elections, at both branch and Union-wide levels.
- 18.4 The Democracy Sub-Committee shall have authority to approve or reject <u>Branch</u> constitutions and/or any proposed changes to these constitutions.

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18.5 The <u>Branch Support Officer</u> shall be an *ex-officio* member of the Democracy Sub-Committee.

Rule 19: Equalities Sub-Committee

19.1 This Sub-Committee shall have the remit of ensuring that the Union's structures and policies do not unintentionally drown out the voices of women, non-binary people, ethnic minorities, or other underrepresented groups.

19.2 The Sub-Committee shall study current and proposed rules and policies and make recommendations to the <u>Executive Committee</u>.

19.3 The <u>Co-BAME Officers</u> and the <u>Women's and Non-Binary Officer</u> shall be *ex-officio* members of the Sub-Committee.

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Chapter 3: Legal Department

Rule 20: Legal Department

20.1 The Legal Department shall provide legal support to members across all branches.

20.2 The Legal Department shall operate pursuant to rules set by the <u>Legal</u> <u>Department Sub-Committee</u>.

20.3 The Legal Department shall administer its own funds and maintain a client account to administer client monies.

Rule 21: Legal Department Sub-Committee

21.1 The Legal Department Sub-Committee shall decide the policies pursuant to which the <u>Legal Department</u> operates, including policies which define who can access <u>Legal Department</u> support.

21.2 The <u>General Secretary</u> and the <u>President</u> shall be *ex-officio* members of the Legal Department Sub-Committee.

21.3 One of the <u>Co-BAME Officers</u> must be a member of the Legal Department Sub-Committee.

21.4 In addition to the <u>Co-BAME Officer</u>, a further member of the Legal Department Sub-Committee must be a BAME member of the <u>Executive Committee</u>.

Rule 22: Legal Department Board of Advisors

22.1 The <u>Legal Department</u> shall regularly convene a Board of Advisors, made up of both internal and external members.

22.2 All members of the <u>Legal Department Sub-Committee</u> shall be *ex-officio* members of the Board of Advisors.

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- 22.3 The Board of Advisors shall elect a Chair from among its members to set the agenda for and chair meetings.
- 22.4 The Board of Advisors shall receive regular reports from the <u>Legal Department</u> on cases, finances and activity more broadly. The Board of Advisors shall offer advice but does not have decision-making power on any aspect of <u>Legal Department</u> functioning.

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Chapter 4: Finance

Rule 23: Members' Dues

- 23.1 All members shall make a monthly payment to the Union to maintain their membership.
- 23.2 The precise membership rates shall be agreed by the relevant <u>branches</u> and the <u>Democracy Sub-Committee</u>. If agreement is not possible the decision shall be at the discretion of the <u>Democracy Sub-Committee</u>.
- 23.3 The first day of membership is the day a signed membership form was submitted to the Union or completed online, even if payment was not taken on that day.
- 23.4 Members must not have more than two months of arrears in order to access membership benefits such as voting rights and support from the <u>Legal Department</u>. The <u>Legal Department Sub-Committee</u> may set more stringent rules on arrears.

Rule 24: Budget

- 24.1 The <u>Treasurer</u> and <u>General Secretary</u> shall work together to formulate, present, and implement budgets.
- 24.2 Union budgets shall be approved annually by the **Executive Committee**.
- 24.3 If the Union acquires additional funds for which it did not budget, their allocation shall be at the joint discretion of the <u>Treasurer</u> and the <u>General Secretary</u>.
- 24.4 The <u>General Secretary</u> shall oversee applications for funding from external sources and shall have authority to decide what should be prioritised in these applications.

Rule 25: Auditors

25.1 The <u>Treasurer</u> shall be responsible for appointing suitable auditors each year for the purposes of auditing the Union's accounts presented on the annual return.

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Chapter 5: Member Discipline and Complaints

Rule 26: Disciplinary Sub-Committee

26.1 The Disciplinary Sub-Committee shall oversee the Union's member <u>disciplinary</u> <u>procedure</u>.

26.2 The Disciplinary Sub-Committee shall appoint suitable Qualified Investigators to run disciplinary hearings and appeals.

26.3 The Disciplinary Sub-Committee shall have the power to suspend members from their positions as elected Officials or from the benefits of membership, pending the resolution of <u>disciplinary procedures</u>, if the Sub-Committee deems this to be in the interests of the Union.

26.4 The Disciplinary Sub-Committee shall have the power to summarily expel members from the Union, without right of appeal, in the following narrow circumstances:

26.4.1 The member has acted in a discriminatory manner, has bullied or been abusive towards someone, has misappropriated Union funds, has acted dishonestly, or has in some other way acted injuriously to the interests of the Union in a particularly egregious manner;

26.4.2 The evidence that the member has acted in the manner described in Rule 26.4.1 is overwhelming;

26.4.3 It would not be in the interests of the Union to allocate resource to a <u>disciplinary procedure</u> which would inevitably result in the member's expulsion; and

26.4.4 The members of the Disciplinary Sub-Committee unanimously agree in their assessment of the criteria set out at Rule 26.4.1-26.4.3.

Rule 27: Disciplinary Procedure

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27.1 The <u>Disciplinary Sub-Committee</u> shall have the sole discretion to decide whether or not to bring disciplinary charges against a member.

27.2 Other than pursuant to Rule 26.4, the <u>Disciplinary Sub-Committee</u> shall not have the power to take decisions on the merits of allegations or on individual disciplinary sanctions to be applied. The <u>Sub-Committee</u> shall instead appoint a Qualified Investigator to consider the evidence for the allegations as well as the response of the accused member. The Qualified Investigator shall then take a decision on whether or not the allegations are substantiated, and if they are, the appropriate sanction.

27.3 Sanctions for disciplinary offences include:

- 27.3.1 A verbal warning;
- 27.3.2 A written warning;
- 27.3.3 A temporary suspension from membership benefits;
- 27.3.4 A temporary suspension from elected office;
- 27.3.5 A permanent bar on holding elected office; and
- 27.3.6 Expulsion.

27.4 Any member who has been sanctioned by a Qualified Investigator has the right to appeal against the decision. The appeal shall be heard by another Qualified Investigator, appointed by the Sub-Committee. The decision of this Qualified Investigator shall be final.

27.5 The <u>Disciplinary Sub-Committee</u> shall have the power to interpret and provide further guidance on Rules 26.1-26.4.

Rule 28: Member Complaints

28.1 The member complaints procedure shall be overseen by a senior member of staff chosen by the <u>General Secretary</u>. If this member of staff is recused, absent, or

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otherwise unable to perform their duties in relation to the complaints procedure then responsibility for the procedure shall lie with the <u>Disciplinary Sub-Committee</u>.

28.2 Members may access the complaints procedure to complain about the behaviour of other members, Union officials, or staff. The complaints procedure may not be used to complain about policies as all members (except those in the <u>Holding Branch</u>) have access to the democratic structures which underpin decision-making in the Union, and the democratic structures are the appropriate venue through which to voice opposition to policies.

28.3 The senior staff member shall assess complaints and discard any which are inappropriate or fall outside the remit of the procedure.

28.4 For complaints which satisfy the threshold set out in Rule 28.3, the senior staff member shall assign a Qualified Investigator to assess the complaint and the evidence underpinning it. The Qualified Investigator shall then take a decision as to whether or not the complaint is upheld and shall issue any recommendations on how to resolve the complaint or prevent similar complaints from arising. The senior staff member shall ensure that any recommendations are brought to the attention of the relevant Officials, Sub-Committees, or Committees which have the power to enact the recommendations.

28.5 If the member is unsatisfied with the outcome of their complaint, they may appeal the decision. The senior staff member shall then appoint a Qualified Investigator to hear and decide upon the appeal. This Qualified Investigator shall also issue any relevant recommendations.

28.6 The <u>Disciplinary Sub-Committee</u> shall have the power to interpret and provide further guidance on Rules 27.1-27.5.

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Chapter 6: IWGB the Employer

Rule 29: Unelected Staff

29.1 Line management and supervision of unelected staff shall fall under the remit of the <u>General Secretary</u>, with all staff feeding into a reporting line that ends with the <u>General Secretary</u>.

29.2 The <u>General Secretary</u> shall also be responsible for deciding how to allocate central Union resource towards staffing.

29.3 Unelected staff must remain neutral in Union elections and must not seek to influence votes of elected Officials or Union members on any matter. Unelected staff must similarly not be involved in the drafting of motions or policies for others to present unless requested to do so by their line managers.

29.4 <u>Branches</u> may use branch funds to hire staff. For this to happen the branch must vote to allocate the necessary resource and the decision must be further approved by the <u>Human Resources Sub-Committee</u>. The necessary resource means the total cost to the Union of employing the employee (wages, national insurance, and pensions contributions), plus an uplift of 20% to contribute towards line management costs. These staff members are employees of the Union and must be line managed by a Union employee.

Rule 30: Human Resources (HR) Sub-Committee

30.1 The HR Sub-Committee shall be responsible for deciding employment policies on behalf of the Union.

30.2 The HR Sub-Committee must approve all branch decisions on hiring elected and unelected staff.

30.3 One of the Co-BAME Officers must be a member of the HR Sub-Committee.

30.4 At least one other member of the HR Sub-Committee must be a BAME member of the <u>Executive Committee</u>.

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30.5 The General Secretary shall be an ex-officio member of the HR Sub-Committee.