

# NUJ

# Rules 2016

**Includes rule change amendments from DM Southport,  
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National Union of Journalists

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# NUJ Rules 2016

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## MEMBERSHIP RESPONSIBILITIES

(a) By joining the NUJ, you join a democratic trade union. The NUJ is run by its members, who have rights and responsibilities. Members are expected to work to help strengthen the NUJ in its work and to abide by the following principles and practices.

(b) **STRENGTH THROUGH UNITY** The NUJ is a trade union founded on the principle that the pay and conditions of individuals at work are best improved by, collectively, improving the conditions of all. Because of this, members are expected:

(i) to treat other members of the union and union staff, with consideration and respect and not to take actions which threaten their livelihood or working conditions

(ii) to defend the interests of other members of the union in the same way as they would defend their own interests.

(c) **STAFF JOURNALISTS AND FREELANCES TOGETHER.** The NUJ has among its members both employees and self-employed members. Both groups share a common interest in promoting high standards of journalism and in defending security of work and the levels of pay offered in the industry. Members are expected:

(i) when commissioning from freelances, to try to ensure that payment rates offered are not lower than NUJ recommended minimum rates, that payment is made promptly after receipt of copy, and that freelance members are able to negotiate as appropriate for the retention of copyright and moral rights

(ii) when commissioning from freelances, to familiarise themselves with any current detailed advice issued by the NUJ

(ii) to cooperate with other members in order to improve rates of pay and strengthen the rights enjoyed generally by freelances in the industry Further, staff members are expected not to undertake freelance work outside their regular employment ('moonlighting') if this directly deprives a freelance or unemployed member of work. Freelance members are expected to support staff members taking industrial action by not undertaking work that would undermine the strength of that industrial action.

Staff reporters on regional newspapers may sell to other news organisations any stories that are generated exclusively by themselves and that have not been covered by freelances.

(d) **COLLECTIVE REPRESENTATION** As a trade union, the NUJ seeks to strengthen the role of collective organisation and representation in the workplace. Because of this, members are not expected to accept employment on terms or conditions worse than those set out in any existing collective agreements applying to their place of work Members are expected to assist the work of the Mother or Father of Chapel (where a Chapel exists) and of other union officials, and to inform their M/FoC of their own terms and conditions of employment on request.

(e) **DEMOCRACY** The NUJ is a democratic organisation, and its strength comes from the involvement and engagement of all its members. Because of this, members are expected:

(i). to take an active interest in the life of the union and to participate as much as possible in union meetings and events, including branch meetings and (where appropriate) chapel meetings

(ii) to consider taking on responsibilities and duties within the union

(iii) to use their vote in ballots and elections

(iv) to abide by the majority decisions of the union, as expressed in ballots and votes, including any decisions to undertake industrial action

(f) **BUILDING THE UNION'S STRENGTH** By growing, the union becomes stronger and more able to defend its members' interests.

Because of this, members are expected

(i) to encourage work colleagues who are eligible for membership to apply to join the NUJ.

(ii) to support those who are starting out in careers in journalism, especially trainees.

(g) **STRENGTH THROUGH DIVERSITY** The diversity of the union's membership is one of its strengths. Discrimination, on grounds of gender, ethnic origin, sexual orientation, age or disability means that some members are more likely to suffer poorer conditions of employment and lower pay than others, irrespective of their skills and abilities. The NUJ is implacably opposed to discrimination and prejudice, not least because it divides rather than unites. Because of this, members are expected to seek to combat discrimination and bullying in the workplace. The NUJ does not regard prejudicial language or comments about people on the grounds of gender, ethnic origin, sexual orientation, age or disability as acceptable behaviour among its members.

## Rule 1

### 1 Title, constitution and objects

(a) The National Union of Journalists, hereinafter referred to as “the union”, is a trade union. The registered head office shall be at Headland House 308-312 Gray’s Inn Road, London WC1X 8DP or at such address as the National Executive Council – otherwise referred to as “the NEC” – shall decide. The union shall also have an office in Dublin and at such other locations as the NEC may decide.

(b) The objects of the union shall be:

- (i) The defence and promotion of the professional and financial interests and the welfare of its members;
- (ii) The defence and promotion of the principles and practice of journalism with particular reference to the union’s code of conduct;
- (iii) The defence and promotion of freedom of the press, broadcasting, speech and information;
- (iv) The defence and promotion of trade union principles and organisation;
- (v) The defence and promotion of equality for all and the elimination of all forms of harassment, prejudice and discrimination within the union, its activities and employment practices.
- (vi) The defence and promotion of peace, social justice and civil liberty;
- (vii) The establishment of out of work, benevolent and death benefits;
- (viii) The determination of all questions affecting the professional conduct of its members;
- (ix) Entering into agreements on the multiple sale of material on electronic databases and other forms of reproduction and uses of members’ published and broadcast work including the collection and distribution of the income from such agreements.
- (x) The furtherance of political objectives deemed by the NEC to flow from and be compatible with objects (i) to (ix).

## Rule 2

### 2 - Membership

(a) The union shall consist of journalists, including photographers, creative artists working editorially in newspapers, magazines, books, broadcasting, public relations and communications, and digital media; or as advertising and fashion photographers, advertising copywriters, front-end developers and coders; teachers of journalism in FE or HE, or any English language journalist or a journalist working in English who is a member of an IFJ-affiliated union with an NEC-approved, reciprocal agreement with the NUJ and full-time officials of the union.

(b) No applicant shall be admitted to membership or, if already a member, be allowed to hold any office or represent the union in any meeting, if he/she is a member of any other organisation which purports to further the interests of working journalists by the regulation of their conditions of employment and which is deemed by the NEC to be contrary to the interests of the union.

(c) There shall be the following classes of membership:

- (i) **Full members:** Persons whose principal occupation is journalism, who have no other full-time job and earn at least half of their earned income from journalism; employees of the NUJ, or journalists who are seeking asylum in the UK or Ireland
- (iii) **Members of honour:** The NEC may confer membership of honour on any member in recognition of long and distinguished service to the union. Each member of honour shall be presented with a diploma and membership card.
- (iv) **Life members:** Full members may be transferred to life membership at the discretion of the NEC and on the recommendation of their branch or the general secretary after completing 40 years of full membership. Members with less than 40 years membership because of caring responsibilities may be awarded life membership at the absolute discretion of the NEC. Transfer to life membership shall not invalidate any claim for death benefit.
- (v) **Temporary members:** Persons ineligible for full membership who are seeking to make a career in journalism either part time or full time and who have no other full-time occupation.
- (vi) **Associate members:** Any person who satisfies the NEC he or she is carrying out significant journalistic work and has a continuing commitment to journalism and trade unionism including persons seeking to become or remain associated with the union because of their journalistic activities or interests but who are ineligible for full membership; retired members; students on journalism courses or who practise student journalism in a medium supported by the National Union of Students or the Union of Students in Ireland; or community journalists.

(d) Membership shall carry the following rights:

- (i) Members of honour, full members and life members may attend and speak at meetings of their branch or chapel; vote and hold office in their branch and chapel; attend and vote at delegate meetings; hold office in the union and vote in all union ballots; attend meetings of other branches and speak if so invited.
- (ii) Associate and temporary members may attend and speak at meetings of their branch or chapel or stand for election to the 60+ Council if eligible but shall not be eligible for union benefits or legal assistance, except at the sole discretion of the NEC

(e) Associate members shall not be eligible to apply for a press card.

(f) Employees of the union shall not, save as specified in Rule 8(f) and Rule 14(g) (iii), be eligible to stand for election to the National Executive Council, The IEC, SEC or WEC or any council of the union or as a voting delegate at any NUJ delegate meeting.

## Rule 3

### 3 Election, transfer and termination of membership

(a) Every application for membership shall be made online or on the forms provided by the NEC and shall contain the names of two members of the union as proposer and seconder. The applicant shall register, on the membership form, in which of the following industrial sectors s/he considers him/herself to work: Books; Broadcasting; Freelance; Magazines; Newspapers and agencies; Public Relations and Communications; New Media; photographic or video. The form shall also require the applicant to agree to abide by the Union's rules and code of conduct.

(i) The application shall be sent to Head Office (the Irish office for branches within the Republic of Ireland), which must inform the appropriate branch within 14 days.

(ii) Unless the candidate is studying on a course approved by the union and is applying for student membership, election shall be by vote of a branch meeting at which the applicant for membership should be present. The branch's sole duty is to satisfy itself that the candidate is qualified for membership.

(iii) Where an applicant is confirmed by a chapel or branch official to be in a staff position, membership will date from the first payment of subscriptions. Where the appropriate branch is deemed by the NEC to be dormant, an applicant who meets the requirements for membership shall be elected immediately otherwise such an applicant shall be deemed elected 60 days after receipt of the application at head office or the Irish office. If an objection to an applicant being admitted is raised by any branch or member in writing to the General Secretary then election shall be delayed until the objection has been considered by the NEC whose decision will be final.

(iv) An unsuccessful applicant shall be informed in writing by the branch of the decision of a branch to reject his/her application for membership.

(b) The NEC shall have power to elect any suitable candidate. A person deemed by the NEC or IEC not to be a fit and proper person for membership shall not be elected by any branch. Such a person shall have the right to appeal to the Appeals Tribunal within 28 days.

(c) The nominator of any candidate whose application for election or re-election is rejected by a branch may appeal to the NEC, or the IEC within the island of Ireland. The appeal must reach the General Secretary within 28 days of the candidate or his/her nominator being informed in writing of the decision by the branch. The NEC, or the IEC within the island of Ireland, shall have the power to elect such a candidate. The decision of the NEC/IEC shall be final.

(d) The NEC shall have the power to re-elect any member who has resigned or been removed from membership for any reason provided he/she agrees to pay contributions by direct debit. The NEC may impose the payment of a readmission fee of up to £1,000.

(e) The NEC shall have power to revoke and declare void any election if it is found that the information given by the candidate is incorrect, or that the candidate was not qualified according to rule at the time of election.

(f) A member changing employment, address or industrial sector, shall immediately notify the union's head office in London or the union's Irish office, which will notify the relevant branch secretaries.

(g) The NEC shall have power to make agreements with other unions to transfer members from one union to the other when they change the nature of their work.

(h) Membership may be terminated by the NEC in accordance with Rule 24 or by Head Office as detailed elsewhere in these rules for one of the following reasons:

(i) When membership has been in suspense for longer than five years.

(ii) When a member fails to pay subscriptions due 28 days after being sent a warning of lapsing for failing to pay contributions.

(iii) When a member who has been excused payment of contributions because of unemployment has failed to inform his/her branch of continuing unemployment.

(iv) When a temporary member does not qualify for full membership at the end of the final period of temporary membership.

(j) Membership may be terminated by the NEC/IEC when it is decided that the member no longer meets the criteria for election to membership. The member shall have the right to appeal to the Appeals Tribunal.

(k) Notwithstanding anything in these rules, the NEC may, by giving six weeks' notice in writing, terminate the membership of any member in order to comply with a decision of the Disputes Committee of the Trades Union Congress or of the Irish Congress of Trade Unions.

(l) A member may terminate his/her membership by writing to his/her branch secretary or, if the branch is not functioning, to Head Office (the Irish Office in the Republic of Ireland). Members shall not be permitted to resign while they are subject to an instruction by the NEC/IEC to withdraw from their employment under the terms of Rule 25(a), or while their chapel is in dispute with management and has declared such dispute at a properly convened chapel meeting.

(m) Membership shall be suspended when a member:

(i) ceases to be employed as defined in Rule 2(d)(i), except in the case of a member who is wholly unemployed or who has retired.

(ii) is attending a full-time course in education and intends to cease working as a journalist. The NEC may extend the period of suspense to take account of the duration of the course.

Membership may be suspended for a period not exceeding five calendar years. A member in suspense shall not pay contributions or levies and shall not be entitled to any union benefit.

## Rule 4

### 4 Contributions and levies

(a) Full members shall pay contributions monthly by direct debit or credit card. Where this is not possible, members shall pay in advance by standing order, cheque, cash or deduction at source. All subscriptions shall be paid in sterling other than by members resident in the Republic of Ireland or Continental Europe who shall pay in Euros.

(b) Subscriptions will be calculated according to grade as follows:

(i) Members who joined the union before October 1, 2016:

(A) Grade 1: Members employed in provincial newspapers, commercial local radio, book sectors and on magazines outside London; freelance members working for regional media organisations; members working in new media (excluding workplaces defined in 4(a)(iii) and 4(a)(iv)); members in branches outside the United Kingdom and Ireland; and members on Head Office Register

(B) Grade 2: Members working in Public Relations and Communications and in the magazine and freelance sectors (excluding freelances working for regional media organisations) and as advertising copywriters.

(C) Grade 3: Members employed in national newspapers sectors, broadcasting (excluding independent local radio), national and foreign news agencies; and officials of the union.

(D) Members who joined the union before October 1, 2016 may elect to be graded as 4(b)(ii) but may not subsequently revert to 4(b)(i)

(ii) Members who joined after October 1, 2016

Grade 1: members earning up to £20,000 (€24,000) per annum

Grade 2: members earning between £20,001 (€24,001) and £29,000 (€36,000) per annum

Grade 3: members earning over £29,000 (€36,000) per annum

(iii) Members will pay subscriptions according to their grade as follows:

	Sterling rate	Euro rate
Grade 1:	£15 per month	€18 per month.
Grade 2:	£18 per month.	€23 per month.
Grade 3:	£25 per month.	€31 per month.

Minimum rate: Members earning less than £13,600 (€15,640) per annum shall pay £10 (€11.50) a month.

(c) No member shall be required to pay contributions of more than one per cent of his/her taxable income. The NEC shall have power to authorise appropriate reductions provided that the minimum rate of contribution is not less than one third the rate for grade one. Newly elected members eligible for reduced contributions must apply within one month of election to obtain a reduction to the end of the calendar year.

(d) asylum seeker members who are prevented by law from working in their country of residence shall not be required to pay subscriptions.

(e) Members of honour are not required to pay contributions or levies.

(f) Retired members shall pay 10% of the minimum rate.

(g) Life members who have not yet retired shall pay subscriptions at a rate of 50% of the appropriate grade for their membership immediately prior to becoming life members but shall not be required to pay subscriptions once they retire.

(h) Student members shall pay 25% of the minimum rate to cover the full duration of their course. This may be paid by credit card, Paypal or other web methods. Student membership will expire upon completion of a course at which time student members shall automatically qualify for Temporary Membership and shall receive a 50% discount on fees for the first year of temporary membership. Students shall be offered a 25% discount on the fee for full membership if they apply within six months of completing their course.

(j) Associate members who are not students, retired members or those seeking to establish themselves in journalism, shall pay subscriptions at 50% of the minimum rate.

(k) Temporary members shall remain as temporary members for a maximum of three years paying subscriptions as a proportion of the minimum rate paid by full members at the following rates: Year 1 - 50% (£60); Year 2 - 70% (£84); Year 3 - 85% (£102).

(l) The NEC shall allocate to the Fighting Fund on a quarterly basis such monies from contributions as are necessary, up to a maximum of 10% of contributions, to maintain the fund in excess of £1,000,000.

(m) The NEC shall allocate one per cent of the union's subscription income to be shared between NUJ Extra and the George Viner Memorial Fund, such share as determined from time to time by the NEC.

(n) Any member failing to pay an annual contribution, quarterly instalments of the annual contribution or a general levy within a period of three calendar months from the due date shall be sent a warning notice of lapsing by the appropriate union office to his/her last known address. If any part of the amount due remains unpaid at the end of 28 days membership will cease. Each office shall inform the member's branch of each stage of the lapsing process. This clause shall not apply to a member subject to an instruction of the NEC to withdraw from his/her employment or to one who is subject to disciplinary proceedings under Rule 24.

(o) Any member whose contributions are three calendar months or more in arrears, or who has failed to pay the whole of a general levy within a period of six months, shall be disqualified from voting in union elections, from being nominated for or holding any union office, from continuing to participate in an election as a nominated candidate or acting as a branch or union delegate or representative.

(p) When in any period of three months the amount of all forms of benefit paid to members exceeds £25,000 the NEC may impose a levy to operate for such time as the NEC decides. The levy may be imposed at any date provided that four weeks' notice be sent to all branches. No general levy shall be imposed for any other reason until it has been sanctioned by a ballot vote of the union.

- (q) Any chapel, branch or group of branches may, with the consent of the NEC and after a ballot of its members, add to the normal contributions of its members, a levy to meet its own expenditure or for any other purpose.
- (r) The NEC alone shall have power to excuse or remit contributions or levies.
- (s) Any member who has withdrawn his/her labour under Rule 25 for longer than 28 days shall be exempt from paying contributions for the duration of the withdrawal of labour.
- (t) A member who is wholly unemployed shall be exempt from the payment of one-twelfth of his/her annual contribution and any levy, for each whole period of 28 days that he/she remains unemployed or receives unemployment benefit. Exemption from payment shall also apply to a woman member whose unemployment arises from pregnancy and to any member taking unpaid parental leave.

## Rule 5

### 5 Benefits

- (a) All claims for benefits shall be made on the form provided and returned to head office or the Irish office. Claims for unemployment benefit shall be made at the end of each week of unemployment. A member failing to claim at the proper time shall not be entitled to retrospective payment for more than four weeks
- (b) The NEC shall have power to deal direct with benefit claims.
- (c) No member shall qualify for the financial benefits of the union except as detailed in Rule 25 until he/she has paid at least one half of the appropriate annual contribution rate or the full annual contributions for those readmitted after being lapsed for arrears. Non-payment of a general levy shall not by itself disqualify a member from receiving benefit.
- (d) The NEC may make a grant to any member in financial distress after six months of membership provided that such distress is not due to the member's misconduct or culpable neglect of professional duty.
- (e) Unemployment benefit shall be paid to members as follows:
- (i) For the first 13 weeks, £20 a week; for the second 13 weeks, £30 a week.
  - (ii) A member who has completed five years' continuous membership and has paid five years' contributions at any grade shall be entitled to unemployment benefit extended from the 27th week of unemployment for a further 26 weeks at £17.50 per week.
  - (iii) Every unemployed member will declare both earnings and payments received during each week for which he/she claims benefit. In any week during which his/her receipts for work done together with benefit according to the scale exceed two-thirds of the minimum benefit, the benefit payable shall be reduced by the amount of that excess. Benefit so withheld shall accrue to his/her credit and if his/her unemployment exceeds the 26 weeks' benefit period he/she shall continue to receive benefit until such credit is exhausted.
  - (iv) Unemployment shall not be deemed to begin until the expiry of any period for which payment is made by way of salary in lieu of notice or compensation for loss of office or redundancy.
- (f) The following shall not be entitled to unemployment benefit:
- (i) Retired, associate, temporary, asylum seeker or student members.
  - (ii) Any member who is more than three months in arrears with his/her contributions. A member will requalify for benefits three months after repaying all outstanding dues.
  - (iii) Law court staff members during periods in which the law courts are not in session unless their services have been dispensed with.
- (g) A member shall be disqualified from receiving unemployment benefit if:
- (i) he/she is incapable of work (except as provided in clause (m) of this rule); or
  - (ii) he/she is, in the opinion of his/her branch committee, not available for work; or
  - (iii) he/she has in the opinion of his/her branch committee, lost his/her employment because of his/her misconduct or culpable neglect of duty; or left it without sufficient cause; or
  - (iv) he/she has, in the opinion of his/her branch committee, been guilty while unemployed, of conduct likely to lessen his/her chances of employment; or
  - (v) he/she has, without satisfactory explanation, failed while unemployed or under notice to apply for a vacancy officially notified to him/her by the union; or
  - (vi) he/she has, while unemployed, or under notice but excepting a period during which union negotiations are proceeding on his/her behalf, refused to accept employment considered suitable by his/her branch committee; or
  - (vii) he/she has retired from work with a pension; or
  - (viii) his/her membership is in suspense; or
  - (ix) he/she is disqualified because of arrears of contributions.
- (h) A member disqualified under clause (g) (vi) shall pay contributions from the date of such refusal.
- (j) A member who claims benefit for further unemployment within 12 months of a week for which benefit has been paid shall be entitled, provided he/she is not disqualified, to receive the balance, if any, of the benefits provided in this rule.
- (k) A member who has exhausted his/her title to ordinary unemployment benefit shall not be requalified until he/she has worked for 12 months as a journalist and paid his/her annual contributions. A member who has exhausted his/her title to extended unemployment benefit shall not be requalified for the benefit until he/she has again paid two years contributions at the full members'

rate.

(l) A member who has been a freelance for not less than six months and is disqualified from receiving unemployment benefit solely by incapacity or by reasons of pregnancy shall, on production of satisfactory evidence, be entitled to unemployment benefit, such entitlement to include retrospective payment of benefit for a maximum period of 13 weeks.

(m) An unemployed member who is excused contributions or is receiving benefit shall notify his/her branch in writing at the end of every three months of his/her continued unemployment and report on his/her employment position to the branch within 40 weeks. If he/she fails to do this, his/her membership shall be terminated 28 days after notice being sent in writing to his/her last known address.

(n) An unemployed member who resumes full-time or part-time employment shall notify his/her branch in writing of such re-employment within one month.

(o) When a member whose contributions are in arrears is granted unemployment benefit, the arrears and any outstanding general levy payment shall be deducted from the benefit.

(p) An emergency grant for travelling and subsistence not exceeding £30 may be paid from branch funds by a branch committee to enable a member who is unemployed, or under notice, and who is not disqualified by these rules, to proceed to new employment or to interview a potential employer. These grants may be repaid to the branch from the union's central funds.

(q) In the event of the death of a member who, at 30 September 1948, had completed payment of five years full contributions for death benefit the NEC shall pay to his/her executor or administrator, next of kin, or other representative on production of the death certificate of the deceased member and proof of the identity of the next of kin or other representative, the sum of £25. Where a member had at 30 September, 1948, paid the said contribution for a lesser period than five years, the sum payable shall be reduced by £5 for each year of contribution less than five.

(r) On the death of a member who is in benefit the branch may make a grant of up to £600 to his/her dependants to be paid from union's central funds.

## **Rule 6**

### **6 NUJ Extra**

(a) There shall be a fund, known as NUJ Extra, which shall be conducted in accordance with such regulations as the fund's management committee shall decide and in line with statute and regulations pertaining to charities.

(b) Three per cent of the union's subscription income shall be shared between NUJ Extra and the George Viner Memorial Fund, such share as determined from time to time by the NEC.

## **Rule 7**

### **7 Branch organisation**

(a) The union shall be divided into branches and each member shall normally be attached to an active branch in whose geographic area or industrial sector his/her employment is situated. Each full-time union official who is a member of the union shall be attached to a branch of his/her own choice.

(b) The NEC, in consultation with the branches affected, may create, divide or merge branches or establish the organisational means for such inter-branch relationships as may be necessary to meet special circumstances, subject, in the event of a dispute, to confirmation by ballot vote of the members concerned.

(c) (i) Each branch shall hold its annual meeting early in the calendar year to elect the following officers who shall be ex-officio members of the branch committee:

- (A) A chair
- (B) A vice-chair
- (C) A secretary to keep the records and convene meetings.
- (D) An equality officer to promote equality issues and provide a focus for questions and complaints arising from the code of conduct.
- (E) A treasurer to be responsible for the funds in the care of the branch and for keeping accounts. No treasurer shall be aged under 18.
- (F) A welfare officer to care for the interests of sick members and their spouses and liaise with the NUJ Extra.
- (G) A union learning representative
- (H) A membership and recruitment/retention officer

(ii) In addition the meeting will elect:

- (A) Members of the committee
- (B) Two auditors who shall not be members of the branch committee. Alternatively a branch may appoint professional auditors.

(iii) Not fewer than seven days' notice of the annual meeting shall be given to members.

(d) The branch committee shall have power to act between branch meetings, but shall not have power to table a motion in which the NEC or DM is asked to vary the policy of the union, or the Irish Executive Council (IEC), Scottish Executive Council (SEC) Welsh Executive Council (WEC) or any industrial council is asked to vary its policy. Any action of a branch committee shall be reported to the succeeding branch meeting.

(e) Each branch shall fix a quorum.

(f) Any member may call for an inspection of the membership records and financial standing of those attending a branch meeting to establish their right to vote.



- (g) An ordinary branch meeting shall be convened at least once every calendar month excepting one month of the calendar year, during which the meeting may be waived with the consent of a previous branch meeting. A special meeting may be called by the branch committee or, in emergency, by the branch chair or at the request, in writing, of any 25 members entitled to vote at meetings of the branch or at least 10 per cent of the branch membership. The NEC may grant permission for meetings to be held at less frequent intervals.
- (h) Not fewer than seven days' notice shall be given to members in the case of ordinary meetings, and in the case of special meetings reasonable notice shall be given, including notice of the matter to be discussed.
- (j) NEC, IEC, SEC, WEC, and industrial council members shall have the right to attend and speak at meetings of any branch within their own electoral areas. Members of the NEC Emergency Committee shall have the right to attend and speak at any branch meeting.
- (k) Subject to the approval of the NEC, branches shall be allowed to establish sub-branches. All the transactions of a sub-branch shall be reported to the branch.
- (l) All funds held by branches shall be the property of the union and shall be deposited into such accounts as the branch or NEC may direct. Withdrawals shall be made only on the written authority of two out of three branch officers, appointed by the branch for the purpose. Branch officers shall be responsible for the location and safe keeping of funds held by the branch.
- (m) The expenses of branch management shall be met by an allowance, paid monthly, of 5 per cent of the ordinary contributions collected from the members of that branch. Higher allowances will be paid to branches able to prove to the NEC that they have especially high running expenses.
- (n) A branch shall use its management fund for union purposes and to make contributions in memory of a deceased member. Any balance remaining may be used for purposes connected with journalism or trade unionism or, with the NEC's permission, for local charitable purposes. Notice of such proposal shall be given on the summons convening the meeting.
- (o) The branch auditors shall examine the books and attach their report to the annual statement of accounts which shall be forwarded to Head office before 31 January in each year.
- (p) (i) A branch shall provide a quarterly statement to Head Office to include details of the number of branch meetings held, the dates on which they were held and details of income and expenditure for the quarter.
- (ii) If a branch fails to send proper quarterly branch statements or remittances to Head Office, the NEC shall have the power to remove the branch officers and require the branch to elect fresh officers, or to disband the branch and transfer the members to other branches.
- (iii) If the remittances due from any branch on 31 December in any year or the annual membership and arrears statement for the year have not been sent to the General Secretary and received by 31 January next following, the branch shall be disqualified from sending delegates to any DM held in that following year unless the NEC otherwise directs.
- (q) A branch may affiliate to appropriate groups of unions in the media and communications industries as local conditions may require, subject to the approval of the relevant industrial council or geographical council and to a simple majority of a ballot of the branch.
- (r) (i) If a branch is of the opinion that any of the branch officers has been guilty of conduct or omission detrimental to the interests of the branch, the branch may dismiss that officer by a simple majority vote at a properly convened branch meeting. Notice of a proposal to dismiss an officer shall be given at the preceding branch meeting.
- (ii) Should the officer not be present at the meeting, notice of the dismissal and of the right of appeal shall be sent within three days to him/her by recorded delivery or registered post.
- (iii) An officer so dismissed shall cease to hold office immediately and shall, within five working days of notice of such dismissal hand over to a nominated member of the branch all documents and/or money appertaining to the post. The nominated member shall have custody of the documents and monies until a successor has been elected or the dismissed member has successfully appealed against the decision of the branch.
- (iv) Any officer so dismissed may appeal against the dismissal to the NEC whose decision shall be final. Both the appellant and the branch shall be invited to the hearing of the appeal and may be represented by another person. In the event of a successful appeal an appellant shall be reinstated. Should the appeal fail the member concerned shall not be entitled to stand for election to office for a period of 12 months. The casual vacancy caused by the dismissal shall remain open until the outcome of any appeal is known.

## **Rule 8**

### **8 National Executive Council**

- (a) There shall be a central administrative body called the National Executive Council (NEC),
- (b) There shall be one representative for black members, one for disabled members, one for photographer members and one from each of the following industrial sectors:
- Books
  - Broadcasting
  - Freelance
  - Magazines
  - Newspapers and agencies
  - Public Relations and Communications
  - New Media

There shall be two or more representatives from each of the following geographical sectors:

- Republic of Ireland

Scotland

There shall be one or more representatives from each of the following geographical sectors:

Continental Europe  
Northern Ireland  
Wales

There shall be one or more representatives from constituencies broadly conforming with each of the following English regions:

East Anglia  
London  
Midlands of England  
Yorkshire and North-east England  
North-west England  
South-east England  
South-west England

The number of NEC members elected to represent each geographical or regional sector shall be determined according to the number of members entitled to vote in that sector as follows:

1 – 2499	1 seat
2,500 – 4,999	2 seats
5,000 – 7,499	3 seats
7,500+	4 seats

The number of members entitled to vote in each geographical or regional sector shall be determined by the NEC at a date not less than three months and not more than four months before the election., this date to be decided by the NEC.

The electoral boundaries of each English regional NEC seat should be set by the NEC no later than 24 weeks before the date set for the subsequent DM. When setting these boundaries, the NEC should adhere to the principle of one seat per tranche of 2,500 members.

(c) A member who is eligible for election to the NEC shall be entitled

(i) to vote

- (A) In the industrial section in which s/he is registered as working and
- (B) In the geographical sector in which s/he lives and also,
- (C) if registered as a black member, for the NEC representative for black members and also,
- (D) if registered as a disabled member, for the NEC representative for disabled members.
- (E) if registered as a photographer, for the NEC representative for photographer members.

(ii) to stand for office either

- (A) in the industrial sector in which s/he is registered as working or
- (B) in the geographical sector in which s/he lives or,
- (C) if registered as a black member, as the representative for the black members or
- (D) if registered as a disabled member, as the representative for disabled members.
- (E) if registered as a photographer, as the representative for photographer members.

(d) Members of the NEC shall be elected every two years together with industrial council elections. Nominations shall be by branches with members in the appropriate industrial or geographic sector. The nominee's consent is required. Elections shall be by means of a postal ballot.

(e) A timetable for elections shall be announced by the General Secretary at a Delegate Meeting providing for the result of voting to be announced by October 31<sup>st</sup> of an election year with nominations to be sent to the General Secretary not less than 12 weeks before. The General Secretary shall be responsible for the conduct of the ballots. Each candidate seeking election to the NEC shall be invited to supply a statement, not exceeding 400 words, together with details of union offices held which will be sent to those members entitled to vote. Where nominations do not exceed the number of representatives required for a sector, the nominee or nominees shall be deemed to be elected; otherwise there shall be a ballot of the members.

(f) The General Secretary shall also be a member of the NEC and of its committees but shall not be entitled to vote. The editor of the union's journal shall have the right to attend meetings of the NEC and its committees.

(g) There shall be an Emergency Committee of the NEC that shall consist of four members elected from the incoming (or standing) NEC by each DM plus three other members elected by and from the NEC at its first meeting following that DM. The NEC shall elect, from amongst its number, replacement members to fill any vacancies that occur between DMs. The General Secretary shall also be a members of the Emergency Committee. The Emergency Committee shall have power to deal with any matter with which the NEC has power to deal unless two or more members of the Emergency Committee request that a matter shall be dealt with by the full NEC. When meeting to consider and decide upon an industrial dispute, the Emergency Committee shall invite to attend for that item such members of industrial councils and the NEC who are representative of members directly affected by the dispute. Such industrial council and NEC members shall have the right to speak but not to vote on that item. The NEC and Emergency Committee shall have power to delegate their duty to hear complaints and appeals under Rule 24 to a complaints committee consisting of NEC members only. The NEC shall elect from its own members such committees as it deems necessary to conduct the business of the union and shall have power to co-opt non-voting members on to these committees.

(h) At the time of election to office, the President, Vice-President and Treasurer shall have been elected as members of the NEC in office following the Delegate Meeting.

(j) The President of the NUJ shall not, in respect of that position, be a voting member of the NEC or an employee of the NUJ.

(i) the term of office for the President shall extend from the close of one DM to the close of the next.

(ii) the President shall not have held the position of President or General Secretary at any time in the period of twelve months ending with the day he or she takes up the position of President.

(iii) the President shall attend meetings of the NEC and exercise voting rights solely as a member of the NEC under Rule 8, elected as a representative of an industrial or geographic sector pursuant to rule 8 (a) and (b) and shall have no additional right to attend or to vote in respect of the position of president.

(k) Officers and members of the NEC shall hold office from the close of one DM to the close of the next.

(l) Any casual vacancy which may occur among the national officers of the union shall be filled by appointment by the NEC. If any NEC member should resign, die, remove from the area, be permanently incapacitated or be otherwise unable to fulfil the duties during his/her term of office, the branches in the area represented by the member concerned shall elect a successor for the unexpired period of the term of office. A resignation shall not be effective until it has been notified to the General Secretary and accepted by the NEC. The NEC shall be empowered to declare a vacancy where any member of the council fails to attend three consecutive meetings of the council to which he/she has been summoned.

(m) Each NEC member shall, with the authority of the council, carry out propaganda and organisation work in his/her electoral area. For all such work, or any other union work authorised by the NEC, he/she shall be allowed reasonable out-of-pocket expenses, account of which he/she shall render to the General Treasurer. He/she shall be kept informed by the General Secretary of any dispute concerning union members occurring in his/her electoral area. He/she shall have the right to attend and speak at industrial council, branch and chapel meetings in his/her own electoral area. Members of the NEC Emergency Committee shall have the right to attend and speak at any industrial council, branch or chapel meeting.

(n) The meetings of the NEC shall be held at such times and places as may be found convenient. 50 per cent of the NEC members plus one shall form an NEC quorum. A special meeting shall be summoned by the General Secretary at the request of the President or on receipt of a requisition signed by at least 50 per cent of the NEC members plus one.

(o) Members of the Equality Council and the Black Members' Council shall have an automatic right to attend and speak at, but not vote at, meetings of the NEC and its committees when issues relevant to their own work are being discussed.

(p) The chair and vice-chair of the IEC, WEC or SEC may be invited to attend meetings of the NEC or its committees.

(q) Each member of the NEC shall be paid reasonable expenses for each attendance at a duly convened meeting of the council or its committees or for any other union work authorised by the NEC. Should attendance at such a meeting entail financial loss to a member who is a freelance journalist he/she shall be allowed to claim compensation at a rate to be determined by the NEC from time to time. In the case of a job share, such payments shall be limited to the reasonable expenses and allowances of one of the two job-sharing individuals, save for the first meeting of any body, when both may attend and be paid reasonable expenses and allowances. Accounts of all expenses and allowances claimed by NEC members shall be rendered to the General Treasurer.

(r) The NEC shall administer the affairs of the union and shall have power in accordance with the rules to do such things on behalf of the union as may be expedient including affiliating to any campaign or organisation that promotes the principles of press freedom and/or workers rights. Unless specifically prevented by these rules the NEC shall have power to interpret the rules and to determine any question on which the rules are silent and no policy has been laid down by DMs.

(s) The NEC shall each year set financial budgets for industrial councils, the Black Members' Council, the Ethics Council, the Equality Council, the Continental European Council, THE 60+ Council, the IEC, WEC and the SEC taking into account the workload undertaken by each body, including running costs. The budgets shall not stipulate the number of meetings to be held during the year, each body being free to set its own timetable within the budget.

(t) The NEC shall have power to summon any member before it or any committee appointed by the NEC or the union. Such member shall be given at least seven days' notice.

(u) The NEC shall have power to employ such paid clerical and other assistance as from time to time it considers necessary for the efficient execution of the union's work and to provide pensions, annuities, or allowances to members of the staff or their dependants by means of a contributory scheme or otherwise.

(v) The NEC shall have power to call for the production of the minutes and account books of a branch or other union agency at any time for the purposes of inspection or investigation.

(w) The NEC shall have the power to authorise the expenditure of monies on any union purpose specified in these rules and in its absolute discretion on:

(i) The assistance of members, salaried officials or other persons in such legal matters or proceedings as it deems necessary to protect the interest of the union;

(ii) The payment in whole or in part of legal charges and costs incurred by or damages awarded against members, salaried officials or other persons arising out of such matters or proceedings; always excepted that when the NEC decides to take legal action on behalf of a member he/she may be required by the NEC to repay an agreed proportion of the legal costs to the union from the proceeds of a successful legal action.

(x) The NEC shall table motions for the Trades Union Congress in consultation with the TUC delegation which thereafter shall have full authority over all other issues relating to the union's participation at the TUC conference.

(y) Other than the national officers, any member of the NEC shall be removed from office if such removal is supported by two-thirds of votes cast in a ballot of members entitled to vote in his/her electoral area, provided that not fewer than 100 members in that area have made written application for such removal to the General Secretary who shall arrange for a ballot to be taken not later than six weeks after receiving such request.

(z) On receiving a request signed by the chairs and secretaries of not fewer than one-fifth of the branches of the union that any one or more of the trustees or national officers shall be removed from office the NEC shall call a Special Delegate Meeting (SDM) within two months for the purpose of deciding such issue. If two-thirds of the delegates voting at the meeting are in favour of removal of such trustees or national officers they shall thereupon cease to hold office.

(aa) The NEC shall conduct a ballot of the whole of the membership only when required by rule, or to comply with the requirements of a delegate meeting. Where such a ballot is conducted, its decision shall be binding and shall not be capable of variation except by the result of a further ballot of the whole membership.

## Rule 9

### 9 Delegate meetings

- (a) A delegate meeting shall be held at least every 24 months after DM 2014 in some centre to be chosen by the NEC for the purpose of:
- (i) Receiving the annual report and accounts made up to the previous 30 September.
  - (ii) Revising the rules, varying subscription rates, affiliating to any campaign or organisation that promotes the principles of press freedom and/or workers' rights or disaffiliating from any campaign or organisation and deciding questions of general policy raised upon notice by the following bodies entitled to table motions and amendments: branches, Black Members' Council, Continental European Council, Disabled Members' Council, Equality Council, Ethics Council, 60+ Council, Photographers' Council, Health and Safety Committee, IEC, NEC, WEC, SEC, each industrial council.
  - (iii) Electing the President, Vice-President and General Treasurer from the incoming (or standing) NEC.
  - (iv) Electing from persons nominated by branches:
    - (A) The Appeals Tribunal
    - (B) The Disabled Members' Council
    - (C) Members to the Equality Council
    - (D) The Standing Orders Committee (SOC) for the next DM
    - (E) The union's delegation to the Trades Union Congress of that year and, where necessary, the following year
    - (F) Six members to the 60+ Council.
    - (G) Committees and delegates to other bodies if from time to time deems appropriate.
  - (v) Should a subsequent casual vacancy arise on any of the above DM-elected bodies, nominations shall be sought from members and an election held by online ballot of members who attended the most recent DM.
- (b) The DM shall consist of:
- (i) Voting delegates elected by branches to vote on all business before the Delegate meeting;
  - (ii) Group chapel delegates elected by group chapels to vote on motions but not in elections for DM-elected bodies.
  - (iii) Non-voting delegates, that is: all members of the NEC and Standing Orders Committee and two members each from: Black Members' Council, Continental European Council, Disabled Members' Council, Equality Council, Ethics Council, 60+ Council, WEC, IEC, SEC, each industrial council, the Photographers' Council; one member from the Health and Safety Committee; and salaried officials. Non-voting delegates other than employee members may also be voting delegates. All delegates may move and speak but non-voting members may not vote.
- (c) The decisions of the DM shall be final other than decisions taken by a ballot of the whole membership or decisions taken under Rule 8(z). The union shall not affiliate to any body, other than those promoting the principles of press freedom and/or workers rights, until the proposal to do so has been submitted to a ballot of the members in which a simple majority of those voting shall decide the issue. There shall be a ballot on a resolution approving the furtherance of political objects within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992 as an object of the union.
- (d) (i) The General Secretary shall set a timetable for the preparation of business for DM and shall announce it not later than the close of the previous DM, as follows:
- (A) A latest date for the receipt at head office of motions and nominations, not later than 17 weeks before the start of the DM;
  - (B) A latest date for the dispatch to tabling bodies of the preliminary agenda, not later than 14 weeks before the start of the DM;
  - (C) A latest date for the receipt at head office of confirmation of or amendments to motions in the preliminary agenda, not later than eight weeks before the start of the DM.
  - (D) a latest date for the dispatch to tabling bodies of the final agenda, together with the annual report and the accounts, not later than five weeks before the start of the DM.
  - (E) the date, determined by the NEC, in accordance with Rule 8(b), at which the number of members in each sector entitled to vote in NEC elections is to be determined.
- (ii) All motions and notices of motions from tabling bodies shall only be accepted if officers of the tabling body certify that they were considered at a quorate meeting of the tabling body for which due notice was given.
  - (iii) Notices of motions on the preliminary agenda shall be provisional and will lapse unless they are chosen by SOC as selected motions or are confirmed by the tabling body or are subject to a notice of amendment by any tabling body.
  - (iv) Motions not received by the date specified for the preliminary agenda may be considered by DM if they are late notice motions or emergency motions.
    - (A) SOC shall make provision for late notice motions and amendments to them in the draft standing orders for DM. Late notice motions shall be in the hands of the General Secretary not later than noon of the day prior to DM and shall not be considered by DM until the day following the latest time stipulated in the standing orders for the receipt of amendments.
    - (B) Late notice motions shall:
      - (1) relate to events that have occurred since the latest date for the receipt of motions, or to the accounts;
      - (2) involve decisions which cannot be taken other than by a delegate meeting.
    - (C) Emergency motions may be considered if provision for them has been made in the standing orders for DM. Notwithstanding such provision, emergency motions shall not be laid before DM unless
      - (1) they concern grave and urgent matters affecting the union;
      - (2) they require immediate action for which the authority of a delegate meeting is required; and
      - (3) they are tabled and submitted to SOC by not fewer than five tabling bodies in respect of each such motion.
- (e) Delegates to delegate meetings shall be life members or members who have paid contributions due for the quarter in which the

meeting falls and who are not disqualified under Rule 4(l) or by any decision of the NEC or the Appeals Tribunal at the time of nominations or of the meeting. They shall be nominated and elected by branches and shall bring their membership cards to the meeting.

(f) Branches shall appoint delegates in accordance with the number of life members and the number of members in benefit as shown in the latest available quarterly membership and arrears statement covering a date not less than three calendar months and not more than six calendar months prior to the first day of the DM, on the following basis:

Branch Membership .....	No. of Delegates
1 - 100 .....	1
101 - 250.....	2
251 - 400.....	3
401 - 550.....	4
551 - 700.....	5
701 - 850.....	6
851 - 1,000.....	7
1,001 - 2,000.....	8
2,001 +.....	9

The votes of a branch shall not exceed the number of its delegates at DM, and shall be recorded by delegates displaying their credential cards. A delegate temporarily absent from the meeting may transfer his/her credential card to any other delegate and authorise him/her to vote on his/her behalf.

(g) The return railway fares, air fares where considered appropriate by the NEC, and subsistence allowances of delegates, shall be paid by the NEC.

(h) A motion which sets out to determine the level of contributions or benefits shall not be declared carried unless two-thirds of the votes cast are in favour.

(j) The election of national officers shall, in the event of a contest, be by a ballot of the delegates. Each ballot shall be conducted on the principle of the single transferable vote.

(k) Should there be insufficient nominations to fill vacancies in accordance with Rule 9 (a) (iii), the General Secretary shall, at the start of business, declare elected those who have been properly nominated. The DM shall then have discretion to call for further nominations. If the DM so decides, the General Secretary shall set a timetable for nominations and elections to enable the process to be completed before the end of the DM. In such circumstances each nomination shall be supported by at least five tabling bodies.

(l) The NEC shall have power to call a special delegate meeting (SDM) or to vary the time and place of any delegate meeting.

(m) The NEC shall call an SDM within two months of receiving a requisition by not less than one-fifth of the branches in the union.

## Rule 10

### 10 Officials of the union

(a) The salaried officials of the union shall consist of a General Secretary, editor of the union's journal and such other officials as may be deemed necessary. Normal retirement age for such officials shall be 65.

(b) (i) The General Secretary and the editor of the union's journal shall be elected from members of the union. The NEC shall prepare a shortlist of applicants who have the required qualifications and submit the list to a postal ballot of the whole of the members qualified to vote, to be conducted on the principle of the single transferable vote. Before being considered for the shortlist, each applicant shall sign an undertaking that he/she accepts the terms and conditions of employment specified by the NEC.

(ii) Each ballot shall, subject to the provisions of these rules, take place every five years. In the event of the incumbent of any of these three posts dying, retiring, resigning or becoming permanently incapacitated during his/her term of office, the NEC shall immediately start the procedure for electing his/her successor. Elections for that particular post shall take place at five-year intervals thereafter.

(iii) An incumbent of any of these offices may stand for re-election, but if such an incumbent is aged 55 or over on 1 January of the year in which the election for his/her office is due to take place, he/she shall not have to face re-election and shall continue in office.

(iv) During the election period for each of these offices, the editor of the union's journal shall give each candidate equal space for putting his/her point of view.

(v) The ballot paper shall be accompanied by a statement as to the union record and other qualifications of the candidates.

(vi) The ballot shall be taken in accordance with conditions to be laid down by the NEC. The NEC may impose a limit on expenditure by any member on behalf of or against any candidate. No branch shall incur any expenditure on canvassing on behalf of or against any candidate.

(vii) Severance pay shall be made by the NEC to any incumbent official who is unsuccessful in seeking re-election to any of these three offices.

(c) All other officials shall be appointed by the NEC.

(d) All the officials shall serve on the conditions of contract of service agreed between them and the NEC, including disciplinary procedures, except that in the case of the General Secretary, the first stage of any disciplinary procedure shall be dealt with by the President, Vice President and Honorary General Treasurer. A delegate meeting shall have the power to dismiss any official or call upon him/her to resign, subject to the terms of the contract of service.

(e) All vacancies for salaried posts shall be advertised externally at the discretion of the NEC. All vacancies shall be open to job-share candidates/applicants providing the NEC is satisfied that there is no conflict of interest arising from any other work either

candidate may carry out. In the event of a post being held on a job-share basis, then the post will become vacant if either candidate resigns.

(f) The General Secretary shall be the chief officer of the union and shall perform such duties as he/she is required by law or these rules to perform and shall be engaged in furthering the objects of the union as directed by DMs and the NEC, especially in negotiations and as spokesperson and representative of the union. The editor shall edit the union's journal with editorial independence over content of the journal and associated Journalist content on the website and shall perform such other duties as directed by the General Secretary. Union website pages holding content taken from the union's journal shall be under the editorial control of the editor of the union's journal.

(g) Officials of the union shall have the right to attend and to speak at any union meeting.

## **Rule 11**

### **11 Funds and trustees**

(a) The NEC shall allocate from the central funds such sums as shall be necessary to provide for the efficient conduct of the union.

(b) Donations for other than trade union purposes may be made at the discretion of the NEC. They shall not exceed in the aggregate a sum equal to 20 times the highest contributions rate and they shall be shown in detail in the annual statement of accounts.

(c) The funds of the union, shall be invested in the names of the trustees and dealt with, by them, as the NEC in its absolute discretion directs.

(d) There shall be three trustees who must be aged over 18: the President, the Vice President and General Treasurer, in whose names the funds of the union shall be invested and in whose names the union shall sue and be sued. The NEC may remove or disqualify any trustee or appoint further trustees at its absolute discretion.

(e) All deeds, documents and securities for money of the union shall be held in the name of the trustees. The NEC shall be responsible for the safe custody and preservation of all deeds, securities and documents.

(f) The union shall keep the trustees collectively and severally indemnified in respect of any matter arising out of any steps taken by the trustees on behalf of and with the authority of the union.

(g) The names and numbers of bank accounts opened in the name of the union by any bodies as defined in these rules shall be notified to the General Treasurer, together with the names of the signatories to such accounts. In the event of such a body ceasing to function, such funds must be transferred into the union's central funds. This rule shall not apply to funds required for chapel running costs.

(h) Any member may, on application to the General Secretary, inspect the books and names of the members at the head office/registered office of the union not earlier than seven days after such application.

(j) The general accounts shall be audited by a professional accountant.

## **Rule 12**

### **12 Chapels**

(a) A chapel of the union shall be formed wherever there are three or more members in an office or organisation or where student members are attending a course of study.

(b) The chapel is responsible for maintaining and extending union organisation in such office or organisation; ensuring that union agreements are observed; seeking to ensure that its members uphold the code of conduct and that management recognises and respects the code of conduct; and for safeguarding members' interests generally. It may discuss union policy.

(c) The chapel shall report regularly to its branch and shall immediately inform its branch, the appropriate industrial council or councils and the NEC of any dispute on union principle arising with its employers. The chapel is subject to the branch, but can appeal to the NEC against any branch decision.

(d) The chapel shall elect annually

(i) a father/mother of Chapel as their representative,

(ii) a clerk to keep the records,

(iii) an equality officer to promote equality issues in house negotiations and to act as a focus for questions arising from clause 10 of the code of conduct,

(iv) a welfare officer (if the chapel has more than 50 members) to care for the interests of sick members and their spouses and liaise with the NUJ Extra,

(v) A union learning representative,

(vi) A membership and recruitment/retention officer

(vii) such other officers as are necessary.

Not less than seven days' notice shall be given of the annual meeting of a chapel.

(e) Chapels should meet monthly and shall meet at least once a quarter. The branch committee or the NEC in consultation with the branch may convene a chapel meeting.

(f) A chapel or a chapel committee may instruct members to attend a mandatory meeting of the chapel providing that a motion to that effect is carried at a previous meeting of the chapel or – in the case of the chapel committee issuing the instruction – at a

previous meeting of the committee. Any chapel member who fails to attend the whole of a mandatory chapel meeting without reasonable cause is liable to disciplinary proceedings. The NEC and/or Emergency Committee and/or appropriate industrial council shall have the power to instruct chapels to call mandatory meetings; in addition the NEC or the Emergency Committee may exercise its power to call a mandatory meeting through the appropriate industrial council. Should a mandatory chapel meeting constitute a withdrawal of labour the rules covering employment disputes shall apply.

(g) Chapels shall have rules which shall conform to union rules and be approved by the branch. Editors shall be ineligible for office as father/mother or clerk, save that in chapels covering more than one magazine title and having more than one magazine editor eligible for union membership, magazine editor members shall be entitled to hold chapel office, subject to approval of the appropriate industrial council or, within the Republic of Ireland, the IEC. Editors and section heads shall be entitled to attend chapel meetings but may be excluded from any meeting by a vote of chapel members. No permanent exclusion shall be operated by any chapel without the prior approval of the NEC.

(h) NEC members, industrial council members, IEC, SEC and WEC members and branch officers shall have the right to attend and speak at meetings of chapels in their electoral areas.

(j) Legitimate chapel expenses may be paid at the discretion of the branch from branch funds.

(k) Chapels should be affiliated to federated house chapels.

(l) (i) A federated group chapel shall be formed where a company employing NUJ members is part of a group of companies or a corporation in which other NUJ members are employed.

(ii) Subject to the approval of the NEC, IEC, SEC or WEC or the appropriate industrial council the purpose of the group chapels will be to advise, assist and supervise on all matters related to terms and conditions of employment of NUJ members in constituent chapels and where possible provide mutual aid and support between chapels.

(iii) Group chapels may table motions for the Union's Delegate Meeting and shall elect a delegate to attend the Delegate meeting with the right to move and vote on motions.

(iv) The FoC/MoC or a representative elected by each chapel shall be required to attend meetings of the group chapel and to give a report to the group on all matters related to terms and conditions of employment and such other matters as may be considered relevant from time to time at meetings of the group chapel.

(v) Group chapels shall meet at least quarterly and at such other times as deemed necessary by the group chapel or its officers.

(vi) Each group chapel shall elect from among the representatives from chapels a group FoC/MoC, a clerk and a treasurer who shall jointly have executive authority to act between meetings.

(vii) Group chapel business shall be conducted in accordance with the model rules drawn up by the NEC. Amendments to these model rules shall not become operative until they have been endorsed by the NEC.

(viii) The NEC shall make a grant from the central fund to each group chapel each year to meet the basic running costs of the group chapel and such other specific activities as agreed between the group chapel and the NEC.

(ix) Each chapel shall pay to the group chapel an amount determined by the NEC in respect of each member of the chapel for each calendar year to be raised by a chapel levy. The payment will be made by a date to be determined by the NEC after consultation with the group chapel and will be based on membership figures at 30 September.

(m) No chapel or group of members shall negotiate or sign an agreement on wages or office conditions without advance notification to the relevant full time official, the appropriate industrial council or the IEC, SEC or WEC.

(n) Each chapel shall have an agreement with its freelances giving them voting rights and full participation in chapel activities. A representative of freelance members shall be invited to attend any negotiations with employers relating to freelance pay and conditions.

## **Rule 13**

### **13 Industrial councils**

(a) There shall be an industrial council for industrial sectors of the membership in England, Northern Ireland and Continental Europe as follows: Newspapers and Agencies; Magazines and Books; Freelance (including; photographers and video journalists); Public Relations and Communications; Broadcasting and New Media. These councils shall promote and supervise negotiations and agreements with individuals or groups of employers on wages and conditions of employment and allied problems – including the promotion of vocational training – within their sectors and shall be encouraged to carry out recruitment and organisation activities within their own sectors. They shall be available as advisory committees to the NEC and have the right to make representations to the NEC.

(b) The councils will determine their own policies within the confines of general policy laid down by DMs or by the NEC. They shall report all their decisions to the NEC.

(c) The NEC may overrule any council if it believes that council is acting against the interests of any section of the membership.

(d) Elections for industrial councils will be held every two years, starting in 2005.

(e) Candidates for election to each council will be members registered as working in the relevant sector nominated by branches with membership in that sector. When a member is unable to obtain nomination because his/her branch fails to meet, the NEC may accept his/her nomination countersigned by no fewer than five members in good standing. The ballot shall be on the single transferable vote system with members voting only in the sector in which they work.

(f) The total number of members in each industrial council shall be as last determined by a DM.

(g) Each industrial council may co-opt non-voting members to provide specialist advice.

(h) The Freelance Industrial Council (FIC) shall appoint one of its members to each of the industrial councils to ensure freelance

representation.

- (i) (i) Members registered as freelances belonging to Scottish branches shall directly elect two members to the Freelance Industrial Council.
  - (ii) Members registered as freelances belonging to branches in the Republic of Ireland shall directly elect one member to the Freelance Industrial Council
  - (iii) Members registered as freelances belonging to Welsh branches shall directly elect one member to the Freelance Industrial Council.
  - (iv) Each council shall have an equality representative elected by the membership in its sector as a member of both the sector council and the Equality Council. Where no such representative is nominated, the Equality Council shall appoint one of its members to serve on the appropriate industrial council.
  - (v) Each council shall have a black members' representative elected by the membership in its sector as a member of both the sector council and the Black Members' Council.
  - (vi) Each council shall have a disabled members' representative elected by the membership in its sector as a member of both the sector council and the Disabled Members' Council.
- (k) NEC members shall have the right to attend and speak at council meetings in their own electoral areas and NEC Emergency Committee members shall have the right to attend and speak at any industrial council meeting.
- (l) The NEC shall allocate such sums as may be necessary to meet the running costs of the councils and to cover educational, promotional and recruitment work. Members of each council shall be paid reasonable expenses.
- (m) The NEC shall encourage the formation of industrial branches in areas where there are a substantial number of members working in a specific industrial sector. There shall not be more than one industrial branch for a specific sector in any such area. A freelance member working in an area where no freelance branch exists may choose to be in membership either of the branch in whose area his/her work is predominantly used or in the geographical branch for his/her place or residence.



## Rule 14

### 14 Irish Executive Council

- (a) There shall be an Irish Executive Council (IEC), which
- (i) in the Republic of Ireland, shall:
    - (A) exercise the powers and discharge the responsibilities of an industrial council and act for the NEC in implementing union policy;
    - (B) promote and supervise negotiations and agreements with employers, or groups of employers, on wages and conditions of employment of members and allied matters, including the promotion of training; and
  - (ii) within the island of Ireland shall:
    - (A) supervise branches in order to promote the interests of the union and good relations between members;
    - (B) carry out recruitment and organisational activities; and
    - (C) hear appeals under the provisions of Rule 3.
- (b) The IEC shall have autonomy in determining its own policies and in making decisions on any matter of concern solely to Irish members within the confines of general policy laid down by a delegate meeting or by the NEC. The IEC shall report all its decisions to the NEC.
- (c) The IEC shall be subject to the direction, in determining policy, of Irish conferences, held at least every two years, comprising delegates of all Irish branches. The IEC shall take up office immediately after the end of each Irish Conference. Such conferences shall have the authority:
- (i) elect the Cathaoirleach, Leas-Cathaoirleach and Treasurer of the IEC;
  - (ii) review the work of the IEC, including its cost;
  - (iii) elect the union's delegation to the ICTU;
  - (iv) elect the Irish members of the union's delegation to the IFJ Congress;
- Where the NEC deems decisions of the Irish conference are in conflict with, or are potentially in conflict with, policy determined by DM, it shall refer such decisions to DM.
- IEC may also convene special Irish delegate conferences to debate issues of importance to the Irish membership where such issues must be dealt with before the next scheduled Irish delegate conference. Such conferences shall have the same representative structure as the scheduled Irish conference.
- (d) The IEC shall have the power to deal with any matter directly affecting the Irish membership with which the NEC has power to deal unless two or more members of the IEC request that a matter shall be referred to the NEC.
- (e) The NEC may overrule any decision of the IEC which appears to endanger the interests of the union as a whole.
- (f) The IEC will be available as a specialist advisory committee to the NEC and will have the right to make representations to the NEC. One representative of the council shall have the right to attend meetings of the NEC and to speak.
- (g) The IEC shall be composed of the following:
- (i) Representatives registered as working in the relevant industrial sector elected by members in the following industrial sectors throughout the island of Ireland:
    - National newspapers and agencies;
    - Provincial newspapers;
    - Broadcasting;
    - Black members;
    - Magazine and Books;
    - Public Relations and Communications;
    - Freelance;
    - New Media.One representative from the geographical region of Northern Ireland elected by members in Northern Ireland.
  - (ii) members in each sector shall be entitled to one representative on the council for each 200 members (or substantial part thereof which in any case shall not be less than 134 members).
  - (iii) The Irish Secretary, the Irish Organiser and all NEC members representing members in Ireland shall be non-voting members of the council, save that they shall have the right to move and second motions and may refer any matter to the NEC under clause (d) of this rule.
- (h) Voting members of the IEC shall be elected every two years by the members in a ballot conducted by the single transferable vote. Nominations shall be sent to the Irish Secretary not less than 15 weeks before the Irish Conference.
- (j) Members of the IEC shall have the right to attend and speak at any branch or chapel meeting in their own electoral area; members shall report on all IEC meetings to their own branch and shall report union activities in their own electoral area to the IEC.
- (k) The IEC will elect one representative each to the Freelance Industrial Council, the Broadcasting Industrial Council and the Equality Council.
- (l) The NEC shall allocate such sums of money as may be necessary to meet the running costs of the IEC and to pay for the educational, promotional and recruitment work in the island of Ireland. Members of the IEC shall be paid reasonable out-of-pocket expenses.

- (m) There shall be a Regional Freelances Forum for the Republic of Ireland and also one for Northern Ireland to act as advisory bodies to the IEC.
- (i) All members registered as freelance outside of Dublin shall have the right to attend either the Northern Ireland Regional Freelances Forum or the Republic of Ireland Regional Freelances Forum depending on their place of residence
  - (ii) These bodies shall meet at least once a year on dates to be included in the schedule of meetings adopted by the IEC at its first meeting after the most recent DM at venues to be chosen by the IEC
  - (iii) The IEC shall, at its discretion, meet the costs of organising such meetings and shall make provision for such funding in its annual budget.
  - (iv) These bodies may propose to the IEC motions suitable for consideration as IEC motions to the next DM.
  - (v) These bodies may nominate candidates for the Freelance sector seats on the IEC.

## **Rule 15**

### **15 Scottish Executive Council**

- (a) There shall be a Scottish Executive Council (SEC), which in Scotland, shall:
- (i) exercise the powers and discharge the responsibilities of an industrial council and act for the NEC in implementing union policy;
  - (ii) promote and supervise negotiations and agreements with employers, or groups of employers, on wages and conditions of employment of members and allied matters, including the promotion of training;
  - (iii) supervise branches in order to promote the interests of the union and good relations between members;
  - (iv) carry out recruitment and organisational activities; and
  - (v) hear appeals under the provisions of Rule 3.
- (b) The SEC shall have autonomy in determining its own policies and in making decisions on any matter of concern solely to Scottish members within the confines of general policy laid down by a delegate meeting or by the NEC. The SEC shall report all its decisions to the NEC.
- (c) With the exception of instructing a member to withdraw for his/her employment, the SEC shall have the power to deal with any matter directly affecting the Scottish membership with which the NEC has power to deal unless two or more members of the SEC request that a matter shall be referred to the NEC.
- (d) The NEC may overrule any decision of the SEC which appears to endanger the interests of the union as a whole.
- (e) The SEC will be available as a specialist advisory committee to the NEC and will have the right to make representations to the NEC. One representative of the council shall have the right to attend meetings of the NEC and to speak.
- (f) The SEC shall be composed of the following:
- (i) at least one representative elected by members in the following industrial sectors throughout Scotland:
    - National newspapers and agencies;
    - Provincial newspapers;
    - Broadcasting;
    - Black members;
    - Magazine and Books;
    - Public Relations and Communications;
    - Freelance;
    - New Media.
  - (ii) members in each sector shall be entitled to an additional representative on the council for each additional 200 members (or substantial part thereof which in any case shall not be less than 134 members).
  - (iii) each branch throughout Scotland shall have the right to elect a representative to the council.
  - (iv) the Scottish organiser and all NEC members representing members in Scotland shall be non-voting members of the council, save that they shall have the right to move and second motions and may refer any matter to the NEC under clause (c) of this rule.
- (g) Voting members of the SEC shall be elected every two years by the members in a ballot conducted by the single transferable vote.
- (h) Members of the SEC shall have the right to attend and speak at any branch or chapel meeting in their own electoral area; members shall report on all SEC meetings to their own branch and shall report union activities in their own electoral area to the SEC.
- (j) The SEC will elect one representative each to the Freelance Industrial Council, the Broadcasting Industrial Council and the Equality Council.
- (k) The NEC shall allocate such sums of money as may be necessary to meet the running costs of the SEC and to pay for the educational, promotional and recruitment work in Scotland. Members of the SEC shall be paid reasonable out-of-pocket expenses.

## **Rule 16**

### **16 Welsh Executive Council**

- (a) There shall be a Welsh Executive Council, Pwllgor Gwaith Cymru, -which in Wales shall:
- (i) exercise the powers and discharge the responsibilities of an industrial council and act for the NEC in implementing union policy;
  - (ii) promote and supervise negotiations and agreements with employers, or groups of employers, on wages and conditions of employment of members and allied matters, including the promotion of training;
  - (iii) supervise branches in order to promote the interests of the union and good relations between members;
  - (iv) carry out recruitment and organisational activities; and
  - (v) hear appeals under the provisions of Rule 3.
- (b) The WEC shall have autonomy in determining its own policies and in making decisions on any matter of concern solely to Welsh members within the confines of general policy laid down by a delegate meeting or by the NEC. The WEC shall report all its decisions to the NEC.
- (c) With the exception of instructing a member to withdraw for his/her employment, the WEC shall have the power to deal with any matter directly affecting the Welsh membership with which the NEC has power to deal unless two or more members of the WEC request that a matter shall be referred to the NEC.
- (d) The NEC may overrule any decision of the WEC which appears to endanger the interests of the union as a whole.
- (e) The WEC will be available as a specialist advisory committee to the NEC and will have the right to make representations to the NEC. One representative of the council shall have the right to attend meetings of the NEC and to speak.
- (f) The Welsh Executive Council, Pwllgor Gwaith Cymru, shall be composed of industrial sector representatives and branch representatives as follows:
- (i) One representative of each of the following industrial sectors elected by members of that industrial sector working in branches within Wales from nominations made from the membership of those branches.
    - National newspapers and agencies;
    - Black members;
    - Broadcasting;
    - Magazine and Books;
    - Public Relations and Communications;
    - Freelance;
    - Photographers;
    - New Media.
  - (ii) Two representatives of provincial newspapers elected by members of that industrial sector working in branches within Wales from nominations made from the membership of those branches
  - (iii) Each branch within Wales shall have the right to elect one representative per 150 members or part thereof.
  - (iv) Members in each sector shall be entitled to an additional representative on the council for each additional 200 members (or substantial part thereof which in any case shall not be less than 134 members).
  - (v) All NEC members representing members in Wales shall be non-voting members of the council, save that they shall have the right to move and second motions and may refer any matter to the NEC under clause (c) of this rule.
- (g) Voting members of the WEC shall be elected every two years by the members in a ballot conducted by the single transferable vote.
- (h) Members of the WEC shall have the right to attend and speak at any branch or chapel meeting in their own electoral area; members shall report on all WEC meetings to their own branch and shall report union activities in their own electoral area to the WEC.
- (j) The WEC will elect one representative each to the Freelance Industrial Council, the Broadcasting Industrial Council and the Equality Council.
- (k) The NEC shall allocate such sums of money as may be necessary to meet the running costs of the WEC and to pay for the educational, promotional and recruitment work in Wales. Members of the WEC shall be paid reasonable out-of-pocket expenses.

## **Rule 17**

### **17 Ethics Council**

- (a) There shall be an Ethics Council charged with the responsibility for the promotion and enforcement of the professional and ethical standards of the union, with particular reference to the enforcement of the union's code of conduct and with researching and debating ethical issues in media freedom and regulation.

It shall have the following duties:

- (i) To promote the union's code of conduct among the general public and to publicise its own work on ethical matters.
- (ii) To promote high ethical standards among the membership.
- (iii) To research and debate ethical issues of media freedom and regulation.
- (iv) To advise the NEC on the promotion of union policy on ethical issues in the area of media freedom and regulation.
- (v) To report to all DMs.
- (vi) To hear complaints made against members under the code of conduct as detailed in Rule 24.
- (vii) To provide the editor of the union's journal with information enabling him/her to publish accounts of the Ethics Council's

work. The editor of the union's journal shall have the right to attend meetings of the Ethics Council but not complaints hearings.  
(viii) To enlist the support and active help of other news media, unions and the TUC in the promotion of its own work and the code of conduct.

(ix) To ensure that chapels establish effective procedures to oversee professional and ethical standards, using their collective bargaining power to influence employers against procuring or condoning breaches of the union's code of conduct and to obtain a right of reply where appropriate.

(b) The Ethics Council shall be constituted as follows:

(i) One member registered as working in each of the industrial sectors, Scotland, Wales, the Republic of Ireland and Continental Europe, to be nominated by branches with members in those sectors and elected every two years by a ballot of all the members in that sector. Members of the Ethics Council shall have the right to attend and speak at meetings of the industrial councils (including the IEC and Scottish Executive Council) within their sector and report on the work of the Ethics Council.

(ii) One member each, nominated from among their members, by the Equality Council and the Black Members' Council. Both the Equality Council and the Black Members' Council may nominate one deputy member.

(iii) The three national officers of the union, who may speak but not vote at meetings of the Ethics Council.

(c) The Ethics Council shall have a guaranteed education budget, separate from its budget for meetings.

(d) Members nominated by the Ethics Council may attend meetings of chapels and branches to discuss the council's work.

## **Rule 18**

### **18 Equality Council**

(a) There shall be an Equality Council consisting of seven members elected at each DM on nominations from branches, plus one representative from each of the industrial councils, the Continental European Council, the WEC, SEC and IEC.

(b) The purposes of the council shall be:

(i) Monitoring the progress of relevant legislation and campaigning for improvements where necessary;

(ii) Opposing and publicising, where possible, cases of sex-based discrimination within the union and promoting equality within the union;

(iii) Campaigning against sexism in the media; and

(iv) Encouraging the formation of pro-equality groups within the union and liaising with pro-equality groups and chapel and branch equality officers.

## **Rule 19**

### **19 Black Members' Council**

(a) There shall be a Black Members' Council consisting of eight members and two student members elected from the black membership (as defined in the NUJ application form) annually at a conference of black members; the Black Members' representative on the IEC, the Black Members' representative on the WEC the Black Member's representative on the SEC and one member from each of the industrial councils. Student members will be able to attend, speak and take part in BMC activities, but not vote. Should there be a subsequent casual vacancy on the Black Members Council arising from those elected at a conference of black members, nominations shall be sought from members and an election held by online ballot of members who attended the most recent black members conference.

(b) The purpose of the Black Members' Council shall be:

(i) Monitoring the progress of relevant legislation and campaigning for improvements where necessary;

(ii) Opposing and publicising, where possible, cases of racial discrimination within the union;

(iii) Promoting equality within the union;

(iv) Campaigning against racism in the media.

## **Rule 20**

### **20 Disabled Members' Council**

(a) There shall be a Disabled Members' Council consisting of and organised by seven disabled members elected by each DM on nomination from branches, plus one representative from each of the industrial councils, the Continental European Council, the WEC, SEC and IEC. .

(b) The purposes of the Disabled Members' Council shall be:

(i) to monitor relevant legislation;

(ii) to campaign for improved access for disabled members;

(iii) to highlight instances of discrimination on the grounds of disability within the union;

(iv) to act on all issues relevant to disabled members;

(v) to campaign against discrimination on the grounds of disability in the media;

(vi) to work with other unions towards the full integration of disabled members.

## **Rule 21**

### **21 Continental European Council**

(a) There shall be a Continental European Council consisting of two members elected every two years by each continental European branch.

(b) The purposes of the council shall be:

- (i) To act for the NEC in implementing union policy and in establishing branches in continental Europe.
- (ii) To advise the NEC on matters affecting members on the continent of Europe.
- (iii) To seek to negotiate linking agreements with journalists' unions in continental Europe.
- (iv) To raise awareness on European matters.
- (v) To report regularly to the NEC on its activities.

## **Rule 22**

### **22 The 60+ Council**

- (a) There shall be an organisation of members aged over 60 called The 60+ Council that will campaign on such issues as 60+ ageism, pensions (state and occupational) and related equality issues. It will consist of six members elected at each DM on nominations from branches and a representative from each of the industrial councils, the Continental European Council, the WEC, SEC and IEC.
- (b) The purposes of the council, working with other appropriate and relevant bodies within the union and externally, shall be to:
  - i. Monitor relevant legislation and seek improvements;
  - ii. Oppose and publicise age based discrimination;
  - iii. Campaign against ageism in the media;
  - iv. Promote equality within the union and externally;
  - v. Raise work issues within the union relevant to older members;
  - vi. Elect the union's delegations to the annual NPC's Pensioners Parliament and Biennial Delegate Conference; and
  - vii. Encourage members aged 60 and older to use their professional experience to support the NUJ and relevant councils and the activities of the National Pensioners' Convention by being delegated to attend the NPC's annual Pensioners' Parliament.
- (c) NUJ 60+ will agree its own quorum, standing orders and procedures; and operate under a budget set by the NEC

## **Rule 23**

### **23 Elections**

- (a) Full members, members of honour and life members are entitled to vote and stand for office in all union elections. Each union council shall be entitled to co-opt one student member representative and one 60+ representative who may be a retired member.
- (b) All ballots shall be in accordance with conditions laid down by the NEC. All elections shall be conducted by the single transferable vote method other than those within chapels, chapel branches, branches and for all DM-elected bodies and delegations which shall be by the first past the post method.
- (c) All non-statutory elections will use online or other voting methods at the discretion of the NEC.
- (d) Elections for the National Executive Council, Scottish Executive Council, Disabled Members Council, Black Members Council, Continental Europe Council, Equality Council and Ethics Council, shall take place concurrently according to the timetable set by the General Secretary at the DM.
- (e) In the case of ballots in any of the elections referred to in 23(d) and for elections of full-time officials the General Secretary shall appoint an Electoral Presiding Officer to adjudicate on all matters of dispute relating to the issue of ballot papers and the conduct of the ballot. His/her identity will be published in notices relating to the ballot.
- (f) In the case of NEC elections, the Appeals tribunal shall arbitrate in disputes between the Electoral Presiding Officer and individual members over the issue of ballot papers or the conduct of the election. No additional ballot papers may be issued within two weeks of the last day for receipt of ballot papers except on instruction from the Appeals Tribunal.
- (g) The last date for receipt of ballot papers in such elections shall be no less than six and no more than eight weeks after the close of nominations.
- (h) All election candidates shall adhere to the code of conduct.
- (j) election candidates or their agents may not incur election expenses of more than stg£500.
- (k) candidate's statements in elections for the NEC published in the Journalist or ballot documentation shall not exceed 400 words.
- (l) All candidates for election shall, after publication of the list of candidates, be entitled to ask the union to circulate election material on their behalf to members entitled to vote in that candidate's electoral constituency.
- m) Any campaign material produced by any candidate in an election for paid union office shall identify supporters' membership status by inserting in brackets after each name where appropriate the letters "NM" to signify non-members..

## **Rule 24**

### **24 Discipline**

- (a) If after due inquiry, in accordance with the procedures and time constraints laid down in Appendix C, the NEC is of the opinion that a member has been guilty of conduct which is detrimental to the interests of the union or of the profession of journalism, or is in breach of the union's code of conduct or membership responsibilities, or the Bullying and Harassment code in Appendix F of these rules it may:
  - (i) impose on that member a fine not exceeding £1,000;
  - (ii) suspend that member for a period not exceeding 12 months;
  - (iii) express its censure in such terms as it deems appropriate;
  - (iv) impose more than one of these penalties, or
  - (v) expel him/her from the union.

- (b) The Ethics Council shall be empowered to receive from branches, and union members, complaints about the work or behaviour of union members or about the conduct of candidates in union elections which, in the complainants' view, contravenes the code of conduct. If after due inquiry, in accordance with the procedures and time constraints laid down in Appendix C, the Ethics Council is of the opinion that a member has been guilty of a breach of the union's code of conduct, it may reprimand the member or refer the matter to the NEC with a recommendation to impose one or more of the penalties outlined in clause (a) of this rule.
- (c) Any person suspended under this rule shall continue to pay his/her usual contributions to the union. That member shall not be eligible for any of the financial benefits of the union or to hold office in the union or to vote in the union until the suspension has come to an end.
- (d) The records of such findings of guilt and penalties, whether they be imposed by the NEC or the Appeals Tribunal, other than expulsions, shall be removed from the member's union records after 10 years' continuous membership without a finding of guilt under this rule. The 10-year period should start from the date of the offence.
- (e) The NEC, or in emergency the General Secretary in agreement with either the General Treasurer or any one of the trustees, shall have power to prevent from handling any union funds or books any member or officer of the union who is suspected of stealing or misapplying the funds or falsifying the books or accounts of the union. The NEC may institute legal proceedings in the name of the union against any member or officer so suspected. The NEC may appoint auditors to examine the books or accounts of any branch or other union agency and to investigate its workings.
- (f) Conduct detrimental to the interest of the union shall be deemed to include:
- (i) Maintenance of membership of the Institute of Journalists while a member of the union.
  - (ii) The acceptance of voluntary redundancy or redundancy by a member while his/her job is the subject of a dispute between the union and his/her employer.
  - (iii) The unauthorised disclosure of the confidential business of the union, branch, chapel or other agency of the union;
  - (iv) Any breach of the rules of the union or of the principles laid down in the union's membership responsibilities.
  - (v) Taking up of membership of any other organisation the object or purported object of which is the furtherance of the interests of working journalists by the regulation of their conditions of employment.
  - (vi) Failure, without reasonable cause, to comply with an instruction of the NEC, or an instruction of the General Secretary to withdraw from employment
- (g) The outcome of all complaints dealt with by the NEC or the Appeals Tribunal shall be reported in the union's journal. Such reports shall include details of any penalties imposed.

## **Rule 25**

### **25 Employment disputes**

- (a) The NEC, and in the Republic or Ireland the Irish Executive Council, shall have the power to order any member or members to withdraw from their employment, save that the General Secretary shall have the power to authorise or instruct any member or members to withdraw from their employment, provided that the decision is submitted for approval by the NEC, the NEC Emergency Committee or the IEC, as appropriate, which shall meet and consider the decision within 72 hours of the authorisation or instruction.
- (b) No withdrawal from employment of a majority of the members of the union shall be sanctioned by the NEC unless a ballot of the whole of the members shows a straight majority of those voting in favour of such action.
- (c) The NEC, at its discretion, shall have the power to make dispute payments from a fund set up for that purpose to any member – or any person who has applied for membership – who has withdrawn from their employment as instructed under this rule. The NEC shall have the power to determine the amount of such payments and any conditions under which those payments are made. A member receiving dispute pay shall not receive union unemployment benefit at the same time, but the receipt of dispute pay shall not otherwise affect his/her title to unemployment benefit.
- (d) Notwithstanding any other provision in the rules, the following will apply in the Republic of Ireland:
- (i) The union shall not organise, participate in, sanction or support a strike or other industrial action without a secret ballot of those whom it is reasonable for the union to believe will be called upon to engage in the strike or other industrial action.
  - (ii) The union shall take reasonable steps to ensure that every member entitled to vote in the ballot votes without interference from or constraint imposed by, the union or any of its members, officials or employees and, so far as is reasonably possible, that such members shall be given a fair opportunity of voting.
  - (iii) The NEC and/or the IEC shall have full discretion in relation to organising, participating in, sanctioning or supporting a strike or other industrial action notwithstanding that the majority of those voting in the ballot, including the aggregate ballot referred to in paragraph (iv), favour such strike or other industrial action.
  - (iv) The NEC and/or the IEC shall not organise, participate in, sanction or support a strike or other industrial action against the wishes of a majority of its members voting in a secret ballot, except where, in the case of ballots by more than one trade union, an aggregate majority of all the votes cast, favours such strike or other industrial action.
  - (v) Where the outcome of a secret ballot conducted by the union, or, in the case of ballots by the NUJ and one or more other affiliates of the Irish Congress of Trade Unions, an aggregate majority of all the votes cast, is in favour of supporting a strike organised by another trade union, a decision to take such supportive action shall not be implemented unless the action has been sanctioned by the Irish Congress of Trade Unions.
  - (vi) As soon as practicable after the conduct of a secret ballot the union shall take reasonable steps to make known to members entitled to vote in the ballot:
    - (A) the number of ballot papers issued;
    - (B) the number of votes cast;
    - (C) the number of votes in favour of the proposal;
    - (D) the number of votes against the proposal; and
    - (E) the number of spoilt votes.
- (e) (i) There shall be a special fund, known as the Fighting Fund.

- (ii) All benefits paid to members in the course of employment disputes shall be paid from the Fighting Fund.
- (iii) All monies paid into the Fighting Fund under these rules, together with existing balances, shall be held in an account which is separate and distinct from all other union bank accounts;
- (iv) monies in the Fighting Fund account shall be used only to finance strikes and other industrial disputes.
- (v) The investment of monies in the Fighting Fund shall be at the discretion of the NEC and in the names of the union's trustees.
- (vi) The income from the investment of the Fund's monies shall become part of the Fighting Fund.
- (vii) The NEC shall be provided with a report on the state of the Fighting Fund at each meeting.

- (f) The NEC shall authorise such payments as it deems necessary to any member who claims that he/she has been victimised for:
- (i) being a member of the union;
  - (ii) being an officer of the union;
  - (iii) defending a professional or union interest;
  - (iv) resisting the imposition of unjust conditions;
  - (v) refusing to perform work which is incompatible with the honour and interests of the profession.

After any such claim, which should be made in writing to the member's branch committee, has been investigated by the NEC either by itself or by a complaints committee appointed for the purpose, the decision of the NEC shall be sent by recorded delivery post to the parties to the case at their last known address and also to the branch secretary. The parties have a right of appeal to the Appeals Tribunal on giving notice to the General Secretary not later than 28 days from the date that the decision was posted.

(g) A member who is instructed by his/her employer or his/her employer's representative or agent to accept conditions or to do any act detrimental to the union's interests or to perform work which he/she regards as incompatible with professional honour shall consult the father/mother or clerk of his/her chapel, or failing them, the branch secretary or other officer. If he/she is advised to refuse, he/she shall refuse.

## **Rule 26**

### **26 Health and Safety Committee**

- (a) There shall be a Health and Safety Committee consisting of one member from each industrial sector elected at each DM on nominations from branches and one representative from the NEC, IEC, SEC and WEC, Disabled Members Council and Equality Council.
- (b) The purposes of the Health and Safety Committee shall be:
- (i) to campaign to raise the profile of health and safety representatives, to encourage branches and chapels to elect health and safety reps, to encourage members to undertake essential and regular training to best represent the interests of members at work and in branches and chapels;
  - (ii) to work with the designated union health and safety officer on all relevant health and safety issues;
  - (iii) to monitor relevant legislation and political developments;
  - (iv) to highlight instances of good and bad practice within the union and more widely;
  - (v) to campaign for accurate and comprehensive coverage of health and safety issues within the media;
  - (vi) to work with other unions and relevant organisations to promote the health and safety interests of NUJ members; and
  - (vii) to report regularly to the National Executive Council.

## **Rule 27**

### **27 Photographers' Council**

- (a) There shall be a Photographers' Council directly elected from members who identify themselves as photographers, photojournalists or video journalists to represent the views of photographers to the union.
- (b) There shall be one member elected to the Photographers' Council from each of the following areas: South East England, Midlands and East Anglia, Northern England, South West England, Scotland, Ireland, Wales and International. There shall be two members elected from London. There shall be one delegate from each of: Black Members Council, Disabled Members Council, Equality Council.
- (c) The Council should hold a minimum of four meetings a year. Two of these may be teleconferencing meetings..

## **Rule 28**

### **28 Alterations of rules**

- (a) Alterations to the rules shall be made by the NEC only on the instructions of a delegate meeting or in accordance with clause (f) of this rule.
- (b) The amendment of a rule by an emergency motion, late notice motion, or by an amendment to a motion which is not itself a motion to amend the rules, shall be precluded.
- (c) Any motion to alter the rules should be written as an instruction to the NEC to amend the rules to give effect to the principle stated in the motion. A motion to amend a rule which does not seek to change the principle in that rule may be written in the textual form in which it is proposed the amended rule shall appear.
- (d) Any motion to alter the code of conduct should be written as an instruction to the NEC to bring an appropriate motion to amend the rules to give effect to the principle stated in the motion at the following DM.
- (e) The NEC shall amend the rules in accordance with the instructions of a delegate meeting as soon as possible after the conclusion of such a meeting, but in any case within six calendar months.
- (f) The NEC shall also make any such amendments to rules as may be required by the Certification Officer under the authority of the Trade Union Acts.

## **Rule 29**

### **29 Appeals Tribunal**

- (a) There shall be an Appeals Tribunal to act as a final court of appeal on complaints against members under these rules and to arbitrate in disputes between members and the Electoral Presiding Officer over the issuing of ballot papers and the conduct of elections
- (b) The Appeals Tribunal shall also hear appeals from complainants who believe that the penalty on the person or persons complained against is too lenient. The Appeals Tribunal shall be empowered to vary the penalty and also to impose a fine on such an appellant if it considers the appeal to have been made vexatiously or frivolously.
- (c) Meetings of the tribunal shall be convened when there are appeals to be heard or for any other reason deemed necessary by three or more members of the tribunal; the tribunal may vary the penalty recommended by the NEC as long as it conforms to the penalties listed in the rules.
- (d) The tribunal shall base its consideration of each appeal on the specifics or procedures of the original complaint to the NEC or the Ethics Council. New evidence, which may be introduced, must not extend the basis of the original complaint.
- (e) The tribunal may require the attendance of an NEC member or of an official nominated by the NEC, as an adviser, but not an assessor, on the rules of the union or on interpretations of these rules made under the NEC powers accorded in these rules.
- (f) The constitution of the tribunal shall be based on Appendix C to these rules, and shall not be open to interpretation by the NEC.
- (g) The Appeals Tribunal shall consist of nine members, none of whom shall be a member of the NEC, nominated by branches (with the consent of the nominee) and elected by a ballot vote of delegates taken at each DM. Nominations for the Appeals Tribunal shall be sent to Head Office by the closing date for nominations announced by the General Secretary at the last DM and, if valid, shall be published on the agenda for the meeting.
- (h) No member shall be eligible to be nominated for service on the Appeals Tribunal if he/she has had less than five years membership of the union, or if his/her membership has been blemished by any disciplinary measure recorded at Head Office. A candidate who solicits support for his/her nomination shall be disqualified.
- (j) The Tribunal shall meet two weeks before the last date for receipt of election ballots to hear election disputes and issue its findings, which shall be binding.

## **Rule 30**

### **30 Dissolution**

- (a) In the event of a delegate meeting recommending by a majority of not less than two-thirds of the votes cast that the union shall be dissolved, a ballot shall be taken of the total membership to determine whether the union shall or shall not be dissolved. If a simple majority of the votes cast in the ballot supports dissolution of the union, it shall be so dissolved.
- (b) Any ballot paper sent through the post shall be addressed to the member's last recorded address. Proof of posting shall be taken as proof of delivery of the ballot paper and the words in clause (a) above requiring a ballot of "the total membership" shall not be construed so as to invalidate the ballot on the grounds only that any member did not in fact receive the ballot paper so posted.
- (c) Should it be so determined to dissolve the union, the NEC shall direct the realisation of the whole of the union's assets, shall discharge all its lawful liabilities, and shall divide the surplus, if any, among the members in proportion to the length of their membership.



## **Appendix A - Code of conduct**

Members of the National Union of Journalists are expected to abide by the following professional principles:

A journalist:

1. At all times upholds and defends the principle of media freedom, the right of freedom of expression and the right of the public to be informed.
2. Strives to ensure that information disseminated is honestly conveyed, accurate and fair.
3. Does her/his utmost to correct harmful inaccuracies.
4. Differentiates between fact and opinion;
5. Obtains material by honest, straightforward and open means, with the exception of investigations that are both overwhelmingly in the public interest and which involve evidence that cannot be obtained by straightforward means.
6. Does nothing to intrude into anybody's private life, grief or distress unless justified by overriding consideration of the public interest.
7. Protects the identity of sources who supply information in confidence and material gathered in the course of her/his work.
8. Resists threats or any other inducements to influence, distort or suppress information, and takes no unfair personal advantage of information gained in the course of her/his duties before the information is public knowledge.
9. Produces no material likely to lead to hatred or discrimination on the grounds of a person's age, gender, race, colour, creed, legal status, disability, marital status, or sexual orientation.
10. Does not by way of statement, voice or appearance endorse by advertisement any commercial product or service save for the promotion of her/his own work or of the medium by which she/he is employed.
11. Shall normally seek the consent of an appropriate adult when interviewing or photographing a child for a story about her/his welfare.
12. Avoids plagiarism.

The NUJ believes a journalist has the right to refuse an assignment or be identified as the author of editorial that would break the letter or spirit of the code. The NUJ will fully support any journalist disciplined for asserting her/his right to act according to the code.

## **Appendix B - Constitution of Appeals Tribunal**

1. Five members of the Appeals Tribunal shall form a quorum, provided that, if for any reason any member of the tribunal who has consented to adjudicate on any appeal informs the chair of his/her inability to complete the hearing, the remaining four members may adjudicate, and their decision shall be final.
2. The members of the Appeals Tribunal shall be called together by the General Secretary or other official appointed by him/her as soon as may be following their election for the purpose of appointing a chair and conducting other appropriate business. The chair thereafter shall be responsible for convening meetings of the tribunal as and when its services are required.
3. Decisions of the tribunal shall be on the basis of a majority vote, the chair having a deliberative but not a casting vote.
4. Subject to the discretion of the tribunal any member of the union may attend the hearing of an appeal on production of his/her membership card but he/she shall take no part in the proceedings.
5. Subject to the terms of paragraph 6 each appeal shall be heard by the tribunal as a new trial of the issue as laid before the NEC or the Ethics Council, and the parties to such issue and a member of the NEC and/or the Ethics Council shall be entitled to be present. Subject to the rules the tribunal may impose any penalty which it deems appropriate.
6. Where, however, the appellant, when lodging his/her appeal, states in writing that he/she is specifically restricting such appeal to the penalty or penalties imposed by the NEC and/or the Ethics Council, the appellant and a representative of the NEC and/or the Ethics Council shall attend and be heard in that regard. Subject to the rules the tribunal may confirm, mitigate or increase any penalty imposed by the NEC and/or the Ethics Council.
7. The normal procedure shall be as follows, subject to any additional provision which may be considered desirable:
  - (i) The appellant shall state the substance of his/her case in writing and be allowed to add to it orally; he/she may be questioned by the respondent.
  - (ii) The respondent shall state the substance of his/her case in writing and be allowed to add to it orally; he/she may be questioned by the appellant.
  - (iii) Where there are more than two parties, each party shall similarly state his/her case, and, may be questioned by the other parties.
  - (iv) Witnesses may be called by the parties or the tribunal and may be questioned by the parties.
  - (v) The parties shall conclude their submissions by making any further statements in extenuation or clarification but shall not introduce new evidence. The respondent shall speak first and the appellant last.
  - (vi) Any member of the tribunal may question any party or witness, subject always to the authority of the chair.
8. (i) Witnesses, or persons nominated as witnesses at the hearing by the NEC or the Ethics Council, or by a complaints committee, may be heard by the tribunal, provided the parties concerned advise the General Secretary in writing not less than 10 days before the date of hearing of their desire to have them summoned and to have them produce before the tribunal any specified documents or records.
  - (ii) In addition the tribunal may require the General Secretary or person acting with his authority to summon other witnesses they desire to hear.

9. Decisions of the tribunal, signed by the chair, shall be published to the parties concerned and, with the consent of the editor, may be published in the union's journal.
10. Head Office shall supply whatever clerical assistance may be necessary for the efficient performance of the duties of the tribunal and for the maintenance of its records.
11. The tribunal may require the attendance of a member of the NEC or an official nominated by the NEC as an adviser, but not as an assessor, on the rules of the union or on interpretations of these rules made in accordance with provisions of Rule 8(r).
12. No member of the tribunal shall adjudicate on an issue in which he/she is, or was, personally or otherwise directly involved.

## Appendix C - Disciplinary proceedings

- (1) Complaints alleging that a member (herein after referred to as the respondent) has behaved in a manner detrimental to the interest of the union or of the profession of journalism or in breach of the membership responsibilities may be instituted directly by the NEC, by a chapel or by any member (herein after referred to as the complainant). Complaints alleging that a member has behaved in a manner which is in breach of the Union's guidelines on bullying and harassment (Appendix F) shall be made direct to the NEC which shall deal with such complaints in accordance with a special protocol agreed by NEC for such purposes. Such complaints may be laid by any member of the union regardless of whether they are directly involved in the matter complained of.
- (2) Complaints laid directly by the NEC shall be heard by a panel made up of no fewer than five chairs of industrial or other executive councils who are not also members of the NEC, any three of whom may form the complaint committee. Where fewer than five chairs of industrial/executive councils are available for selection, vice chairs may be selected in their place. Such panels shall be selected through consultation among the chairs of the industrial and executive councils. The panel shall be serviced by an official of the union selected by the General Secretary.
- (3) A complaint laid by resolution of a chapel, shall remain the property of the chapel, which shall elect a representative to handle the complaint.
- (4) For individually laid and chapel complaints, it shall be the duty of the complainant's branch to decide whether a case has been made out for examination by the NEC, unless the respondent is a member of another branch.
- (5) If the respondent is a member of another branch the General Secretary shall be notified by the complainants branch and s/he will endeavour to select a neutral branch to decide whether a case has been made out for examination by the NEC.
- (6) Complaints about the work or behaviour of union members or about the conduct of candidates in union elections which, in the complainants' view, contravene the code of conduct, shall be made direct by branches or union members to the Ethics Council which shall deal with all such complaints.
- (7) Complaints alleging that a member has behaved in a manner detrimental to the interests of the union or of the profession of journalism shall be dealt with by the NEC or at its discretion by a complaints committee of NEC, IEC, SEC or WEC.
- (8) No member may sit on a complaints committee if his/her electoral constituency coincides with that of the complainant or the respondent. The NEC shall take reasonable steps to ensure the complaints panel has a range of sexual and racial representation.
- (9) In any case in which the NEC decides to lay a complaint against any member, that member's branch shall be informed within seven days of that decision.
- (10) The NEC, or a complaints committee on its behalf, may call to appear before it any member or group of members who it is alleged have disobeyed an instruction under the rules concerning employment disputes and maintenance of wage rates.
- (11) No action shall be taken against any member unless that member has been given an opportunity to defend himself/herself, as detailed in this appendix.
- (12) The payment of reasonable expenses which any person incurs in attending a disciplinary hearing or appeal under these rules may be made at the sole discretion of the NEC.
- (13) Procedure for dealing with complaints against members for alleged conduct detrimental to the interests of the union
  - (i) Every effort will be made to ensure that every stage of these proceedings is conducted in accordance with the principles of natural justice and members of the NEC, Ethics Council and the Appeals Tribunal hearing complaints and appeals should receive appropriate training on equal opportunities and conciliation and dispute resolution.
  - (ii) A complaint against a member shall be submitted in writing to the complainant's branch secretary.
  - (iii) That branch secretary shall send a copy of the complaint to respondent giving at least 14 days' notice in writing of a hearing of the complaint before the branch or a committee appointed by the branch for this purpose.
  - (iv) In the case of a respondent who is a member of a different branch to the complainant, the secretary of the complainant's branch shall inform the General Secretary of the complaint who will deal with the complaint in accordance with paragraph 4.
  - (v) A complaint will be considered within 10 weeks of the date of receipt by the branch secretary, in default of which the complaint shall lapse.
  - (vi) The secretary of the branch hearing the case shall invite written depositions from the complainant, respondent, witnesses and any other relevant parties. On consideration of these written depositions a decision will be taken as to whether or not a case has been made out for examination by the NEC.
  - (vii) If the branch or committee hearing the complaint decides there is a case to answer, the complaint shall be forwarded, with the written depositions and an account of the hearing, to the General Secretary for investigation by the NEC. If the decision is that there is no case to answer, the depositions and an account of the hearing of the complaint shall still be sent to the General Secretary.
  - (viii) The branch secretary shall notify the parties of the decision in writing.
  - (ix) A complainant shall have the right to appeal to the NEC should the branch resolve that there is no case to answer.<sup>i</sup>

- (x) Upon receipt of a branch decision, the NEC shall take such action as it deems appropriate, including attempts to bring about a conciliation of the parties to the complaint. Even if the complaint has been laid by the NEC, the NEC may still attempt to settle the issue by conciliation.
  - (xi) Should conciliation attempts fail, the NEC may decide to hold a formal hearing of the complaint.
  - (xii) Every effort should be made to fix a hearing date that is convenient to all the parties involved.. Should no such suitable date be found within the time limits laid down by this appendix, or should the panel believe that no date will be agreeable because either party is attempting to avoid a hearing then the hearing may proceed on the basis of the written depositions and such witnesses as may be called.
  - (xiii) Fourteen days' notice of a hearing including the date, time and place of the hearing together with the written depositions and account of the hearing (as presented to the NEC) shall be given in writing by recorded delivery post (or by registered post in the Republic of Ireland) to the complainant and the respondent at their last known addresses.
  - (xiv) The parties to the complaint shall inform the NEC of any witnesses they intend to call at least seven days before the hearing.
  - (xv) The complainant or the respondent may present his/her own case, or be represented by a person of his/her own choice at the hearing.
  - (xvi) The union will not be responsible for any costs incurred by either the complainant or the respondent in respect of representation.
  - (xvi) The branch that initially heard the complaint and the respondent's branch shall each be entitled to be represented by a member at the hearing.
  - (xvii) The hearing shall be open to all members of the union to attend on production of his/her membership card but he/she shall take no part in the proceedings and shall be bound by the confidentiality of the hearing if applicable.
- (13) The normal procedure for the hearing shall be as follows, subject to any additional provision that may be considered desirable:
- (i) The Complaints committee shall elect a chair from amongst its number to keep good order and ensure the proceedings adhere to the principles of natural justice.
  - (ii) The complainant and the respondent shall state the substance of his/her case in writing and be allowed to add to it orally and question each other.
  - (iii) Witnesses may be called and questioned by the parties or the complaints panel.
  - (iv) The parties shall conclude their submissions by making any further statements in extenuation or clarification but shall not introduce new evidence. (v) The complainant shall speak first and the respondent last.
  - (vi) The complaints panel may also require the General Secretary or person acting with his or her authority to summon such other witnesses they desire to hear.
  - (vii) The complaint committee's findings and any subsequent recommendations, signed by the chair of the complaint committee, shall be reported to the NEC for confirmation or variation.
  - (viii) The NEC shall inform all parties to the procedure of its decision as soon as possible after its meeting.
  - (ix) The respondent shall have the right to appeal any finding of guilt or penalty to the Appeals Tribunal.
  - (x) Complainants who believe that the penalty levied is too lenient; or that the procedure was not followed as laid down by these rules shall have the right to appeal the penalty to the Appeals Tribunal.
  - (xi) Notice of appeal shall be given in writing to the General Secretary within 21 days of the notification of the NEC's decision to the complainant or the respondent.
  - (xii) The adjudication by the NEC of any complaint shall be made within six months of the decision of a branch to hear the complaint or, in the case of a complaint laid by the NEC, within four months of the NEC's decision to lay the complaint – in default of which the complaint shall lapse, save that where a court of law instructs the union to halt disciplinary proceedings or the hearing of a complaint while court action is pending, the time limits set out shall be suspended for the relevant period.
- (14) Procedure for dealing with complaints against members for alleged breaches of the code of conduct
- (i) Every effort should be made to ensure that every stage of these proceedings is conducted in accordance with the principles of natural justice.
  - (ii) Before initiating a formal hearing of a complaint against a member for an alleged breach of the union's code of conduct, the Ethics Council will consider whether the issue can be resolved by conciliation. Where appropriate, the Ethics Council may seek to bring about conciliation between the parties at any point and to raise the issues in an educational way.
  - (iii) The Ethics Council shall also have the power to decide that the code of conduct is best promoted by resolving issues raised in complaints by educative means rather than by initiating complaints proceedings. If it so decides, the Ethics Council shall seek – but need not require – the co-operation of the person laying the complaint.
  - (iv) The Ethics Council, or a complaints panel appointed by it, shall consider any complaint referred to it and decide whether to make a full investigation of each complaint. In circumstances where it decides there is no case to answer, it shall provide reasons for this decision to the complainant. Only in circumstances where conciliation has failed, or is deemed inappropriate, and the matter is considered sufficiently serious by the Ethics Council, should it proceed to call a hearing to determine the culpability or otherwise of NUJ members complained against.

- (v) The Ethics Council, or its complaints panel, shall be empowered to call for evidence from any source to enable it to make such an assessment.
  - (vi) The Ethics Council shall provide to the member complained against details of the complaint and the date, time and place of the hearing, in writing. 21 days' notice of such hearings shall be sent by recorded delivery post (or registered post in the Republic of Ireland) to the member concerned at his/her last known address.
  - (vii) If a party fails to attend or submit evidence, the Ethics Council may nevertheless consider and decide upon the complaint.
  - (viii) The Ethics Council may call whatever evidence it regards as relevant.
  - (ix) The Ethics Council shall give the member concerned the opportunity to reply to the charges. Such member may present his/her own case or be represented by a person of his/her choice;
  - (x) Any expenditure incurred by a member in respect of representation is not the responsibility of the Union.
  - (xi) In the case of a complaint about an article or report which is not bylined or which carries a house byline, the Ethics Council may require the F/MoC of the chapel or chapels to which the members employed by the publication belong, to inform the Ethics Council of the identity of the member or members responsible for the article as published, or to satisfy the Ethics Council that he/she has made adequate attempts to discover such identities but has failed.
  - (xii) If a member or members accused of a breach of the code of conduct advances as a defence that the material which is the subject of complaint was altered by other members, the F/MoC of such member or members shall upon the demand of the Ethics Council, inform it of the identity of the members responsible, or satisfy the Ethics Council that he/she has made adequate attempts to discover the identities but has failed.
- (15) The normal procedure for the hearing shall be as follows, subject to any additional provision which may be considered desirable:
- (i) The quorum for hearing a complaint shall be three, of whom no more than one may be a nominee of the Equality Council or the Black Members' Council.
  - (ii) The complainant and the respondent shall state the substance of his/her case in writing and be allowed to add to it orally and question each other.
  - (iii) Witnesses may be called and questioned by the parties or the Ethics Council
  - (iv) Where there are more than two parties, each party shall similarly state his/her case, and, may be questioned by the other parties.
  - (v) The parties shall conclude their submissions by making any further statements in extenuation or clarification but shall not introduce new evidence. The complainant shall speak first and the respondent last.
  - (vi) The Ethics Council may also require the General Secretary or person acting with his authority to summon any other witnesses they desire to hear.
  - (vii) The Ethics Council's report of its findings and any subsequent recommendations, signed by the chair, shall be reported to the NEC for confirmation or variation.
  - (viii) Where the Ethics Council is of the opinion that a member is guilty of a breach of the code of conduct it may deliver a reprimand and/or recommend to the NEC that one or more of the penalties specified in Rule 24 be imposed. The NEC may, on receipt of a recommendation from the Ethics Council, impose one or more of the penalties specified in Rule 24.
  - (ix) The NEC shall inform all parties to the procedure of its decision as soon as possible after its meeting.
  - (x) The respondent shall have the right to appeal a finding of guilt or penalty to the Appeals Tribunal.
  - (xi) Complainants who believe that the penalty levied is too lenient or that the procedure was not followed as laid down by these rules shall have the right to appeal the penalty to the Appeals Tribunal.
  - (xii) Notice of appeal shall be given in writing to the General Secretary within 21 days of the notification of the NEC's decision to the complainant or the respondent.
  - (xiii) All complaints laid before the Ethics Council shall be completed within six months of the date of the next scheduled Ethics Council meeting following receipt of the complaint by the servicing official of the Ethics Council or, in the case of information being sought from chapel officers, six months of the date when the identity of the person or persons responsible has been obtained, save that where a court of law instructs the union to stop disciplinary hearings or the hearing of a complaint while court action is pending, this time limit shall be suspended for the relevant period.

#### **Appendix D - Draft branch standing orders**

These draft standing orders are intended to assist members and chairs in doing union business efficiently. Small branches may be able to use the less formal procedure of committee work. Large branches will find standing orders useful in saving their meetings from long discussions on procedure.

1. The quorum for a branch meeting shall be (number).
2. The agenda shall be read aloud by the chair at the opening of the meeting.
3. The secretary shall read the minutes of the previous meeting but no discussion shall be allowed except on a challenge to their accuracy. When the minutes have been signed questions may be asked for information.

4. The first motion on any subject shall be the original motion and succeeding propositions on that subject taken as amendments. An original motion that has been amended shall become the substantive motion, and shall be open to further amendment. Procedural motions (see S.O.12) shall be treated as amendments, but shall take precedence over other amendments. (See footnote.)

5. The mover of an original motion shall have the right of reply to the debate on that motion, or if an amendment is discussed to the debate on the first amendment to his/her motion, unless the debate is terminated by carrying "Next business" (see SO. 12). If he/she replies, the chair shall take the vote immediately after his/her speech without further discussion or question.

**Note:** Motions for a delegate meeting agenda. When a branch is considering whether to send any notice of motion for a delegate meeting agenda, a proposal by a member of the branch to put down an amendment to a union rule shall be treated as an original motion. Similarly, when the branch is considering the preliminary agenda of a delegate meeting, a proposal to put down an amendment to a notice of motion on that agenda shall be treated as an original motion.

6. The seconder of a motion or an amendment may second formally and reserve his/her speech until later in the debate.

7. The chair shall not accept more than one amendment at a time to any original or substantive motion, but after any amendment has been moved and seconded and before it has been put to the vote, he/she may accept notice of a further amendment. Nevertheless a procedural motion (see SO 12) may be moved during any debate and if it is accepted that debate shall be suspended for consideration of the procedural motion.

8. When an amendment to an original motion has been carried, the resulting substantive motion shall be put to the meeting unless a further amendment, of which notice has been given, is carried; and in every case (except when "Next business" has been carried) the substantive motion in its final form shall be put to the vote before the meeting proceeds to the next business.

9. No original motion or amendment which has been moved and seconded shall be withdrawn, nor shall any words be added to or deleted from it, without the consent of the meeting, and if the meeting consents to any modification the chair shall formally announce the motion in its modified form.

10. The chair shall not accept any motion or amendment that contravenes SO 11. Nor shall he/she accept a motion or amendment that repeats the substance of a proposition previously voted on by the meeting.

11. No motion to rescind a resolution of the branch shall be accepted unless a notice of rescission, stating the terms of the resolution proposed to be rescinded, has been circulated to members with the notice calling the meeting at which the motion to rescind is to be voted upon.

12. A debate may be brought to an end by a motion:

- (a) That the vote be now taken (the vote);
- (b) That the meeting proceed to next business (the next business);
- (c) That the discussion or the meeting be adjourned (the adjournment).

No member who has already spoken on the motion or amendment under debate may move any of these motions. The motion to adjourn must state the period of the adjournment. To end the debate without committing the meeting to a decision for or against the proposition a member must move "Next business". The chair shall not accept any of these motions if in his/her opinion the effect of carrying it would be unfair. If the chair accepts "The vote" and it is seconded, he/she shall put it to the meeting without debate. If it is carried, he/she shall put the motion under discussion to the vote without further debate unless the mover of the original motion is still entitled to reply. If the chair accepts "The next business" and it is seconded, he/she shall put it to the meeting without debate. If it is carried, the original motion, together with any amendments that have been carried, shall be of no effect, and the meeting shall proceed to the next item on the agenda. If the chair accepts "The adjournment", and it is formally seconded, he/she may allow one speech for and one against. If it is carried, the debate shall be resumed as it stood at the adjournment, and the chair or the secretary shall then remind the meeting of the terms of the original motion and of any amendments that have been discussed. The motion known as "The previous question" shall not be accepted at any branch meeting.

13. Speakers shall address the chair. Any member called to order by the chair shall resume his/her seat.

14. Any member wishing to raise a point of order shall rise and address the chair. If another member is speaking he/she shall immediately give way and await the chair's ruling. No member shall raise a point of order for the purpose of controverting any speaker or making a speech himself/herself. A point of explanation is not a point of order, but if the chair believes that a brief examination will help the conduct of business, he/she may permit it.

15. The chair's ruling on a question of order or procedure shall be final unless challenged by three members. In that case the secretary shall immediately put the motion: "That the chair's ruling be upheld." He/she shall declare this motion carried unless the number of those who vote against it is at least double the number of those who vote for it.

16. Except as specified in the rules, voting shall be by a show of hands unless a motion to take a ballot on a motion or election is moved and carried before the vote on that motion or election is taken. Only persons entitled under the rules shall vote.

17. Any standing order may be suspended upon the motion of a member duly seconded if the number of those voting for is at least twice the number of those voting against. Standing orders shall come into force again automatically after the vote has been taken on the business for the conduct of which they were suspended.

18. These standing orders shall be amended only at the annual meeting of the branch and after the terms of any proposed amendment have been duly circulated by the branch secretary with the notice of the meeting.

## **Appendix E - Draft rules for office chapels**

The following paragraphs are intended only as a guide in drawing up chapel rules.

It may not be possible to adopt all of them exactly as they stand; each chapel may adapt them to its own needs. Chapel rules must be in conformity with the rules of the union, and must be approved by the branch.

1. This chapel shall be known as the (name of paper or office) editorial chapel of the NUJ, and shall be composed of all members of the union who are members of the editorial staff(s) of the name(s) of paper(s).
2. The chapel officials shall be a father/mother and a clerk, an equality officer and a welfare officer, and if considered advisable a deputy father/mother and a treasurer and a committee may be appointed. The election shall be annual.
3. The father/mother shall preside at all meetings (number) to form a quorum. In his/her absence the deputy father/mother or, in the absence of both, any other member elected for that meeting, shall preside.
4. The clerk shall keep minutes of the meetings and be responsible for the secretarial work of the chapel. Except where a treasurer has been appointed the clerk shall act as treasurer of the chapel fund, receive contributions for the same, and present accounts for audits annually by two members of the chapel appointed for that purpose. Unless an office collector has been appointed, the clerk (or treasurer) may be authorised (with the approval of the branch committee) to collect union contributions, and shall report at each (quarterly/half-yearly) meeting of the chapel all the members who, by reason of arrears, are not in full union benefit.
5. The chapel shall meet monthly for the transaction of ordinary business. The meeting in (month) of each year shall be called the annual meeting, and at this meeting officers shall be elected. The editor, and heads of sections under him/her, although they may be members of the union, may, by a chapel rule, be required not to attend chapel meetings unless specially requested to do so, and an editor shall not be eligible to hold the office of father/mother or clerk.
6. In large offices the chapel may set up unit sections in each department. Each section shall elect a convenor who shall summon meetings of the section as need arises. All sections shall be subject to the chapel in all matters. The father/mother shall have the power to call a full-meeting of the chapel, or of any section (e.g., reporters, sub-editors, photographers, etc.) within it, at any time.
7. On a matter of urgency or importance a special meeting of the chapel shall be convened at any time on the petition of any (number) members, conveyed in writing to the father/mother or clerk, and stating the purpose of the meeting.
8. It shall be the duty of the father/mother, on receiving a petition for a special meeting, without questioning the urgency or importance of the object stated, to convene such a meeting within three days of the date on which he/she received the petition.
9. All proposals in meetings of the chapel shall be decided by a majority vote of members present and entitled to vote. The father/mother shall have only one vote. Temporary members shall be entitled to attend chapel meetings and shall be permitted to speak but not vote.
10. Each member of the chapel shall pay such annual or monthly contributions as may be required for administrative purposes.
11. Any member of the staff may be required by the father/mother or clerk to produce his or her union membership card.
12. Chapel business shall be private and confidential and disclosure of chapel affairs to outsiders shall be an offence on the part of any member, calling for such disciplinary action as the union rules allow.
13. Alterations of chapel rules may be made only at the annual meeting, or at a special meeting convened for the purpose, and a notice of proposed alterations shall be posted at least three days before the meeting.
14. The chapel shall be empowered to affiliate to the federated house chapel.
15. The chapel shall be affiliated to the federated group editorial chapel where such a chapel exists within the same newspaper group.

#### **Appendix F – Definition of bullying and harassment**

1. Workplace bullying (in the UK) is defined by the union as “offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means intended to undermine, humiliate, denigrate or injure the recipient”.
2. Workplace bullying (in the Republic of Ireland) is defined as “repeated inappropriate behaviour, direct or indirect, whether verbal, physical or otherwise, conducted by one or more persons against another or others, at the place of work and/or in the course of employment, which could reasonably be regarded as undermining the individual's right to dignity at work. An isolated incident of the behaviour described in this definition may be an affront to dignity at work but as a one-off incident is not considered to be bullying.”
3. Harassment is defined as “unwanted conduct affecting the dignity of men and women in the workplace. It may be related to age, sex, race, disability, religion, nationality, sexual orientation or any personal characteristic of the individual, and may be persistent or an isolated incident. The key is that the actions or comments are viewed as demeaning and unacceptable to the recipient”.

#### **Appendix G - Glossary and definition of terms**

The union's democratic bodies and officers are often referred to by their initials or obscure titles. This glossary is intended to guide you through the union's structure explaining what each of these bodies and officers does.

**60+ Council** – A council of members aged over 60 that campaigns on such issues as 60+ ageism, pensions (state and occupational) and related equality issues. It also elects the union's delegations to the annual NPC's Pensioners Parliament and Biennial Delegate Conference.

**Appeals Tribunal** – Sits in judgement on appeals against decisions taken by the NEC on individual cases of discipline or

membership criteria.

BMC - Black Members' Council; Represents black members and campaigns on matters of concern such as racism and racial equality.

CEC – Continental European Council; represents members in the continent of Europe.

DM – Delegate Meeting – The union's conference, held at least every 18 months, which decides policy and, as necessary, amends the rules. The NEC or branches can also call a special delegate meeting or SDM.

DMC - Disabled Members' Council; Campaigns for equality of opportunity for people with disabilities in the workplace and within the union.

Equality Council – Campaigns for equality for all members in the workplace and in the union.

Ethics Council – Charged with raising the consciousness of members on ethical matters and dealing with complaints against members on matters of professional concern.

M/FoC – Mother or Father of Chapel – The office representative or shop steward.

GS – General Secretary – The union's top official. The General Secretary is elected by the members and serves a five-year, salaried term. He/she is a member of the NEC.

IEC – Irish Executive Council – An executive council for Ireland with a similar role to the NEC. Can be overruled by the NEC.

IFJ – International Federation of Journalists – An international collective of journalist unions based in Brussels.

Industrial Councils – There are six industrial councils that oversee the industrial work of the union checking on collective agreements and dealing with the running of disputes. The councils are:

BIC – Broadcasting Industrial Council

FIC – Freelance Industrial Council

MABIC – Magazine and Books Industrial Council

NAIC – Newspapers and Agencies Industrial Council

PRIC – Public Relations and Communications Industrial Council

NMIC – New Media Industrial Council

LNM – Late Notice Motion – a motion to DM sent in after the final deadline for motions. Must concern a matter which happened after the deadline and which requires a decision of DM. They cannot be used to change rules.

NEC – National Executive Council – This body is responsible for running the union on a day to day basis and deciding or interpreting policy between delegate meetings. It is also responsible for authorising benefits and dispute payments.

NUJ Extra – A charitable trust set up to bring relief from poverty to NUJ members and the families and dependants of deceased NUJ members. It was established in 1909.

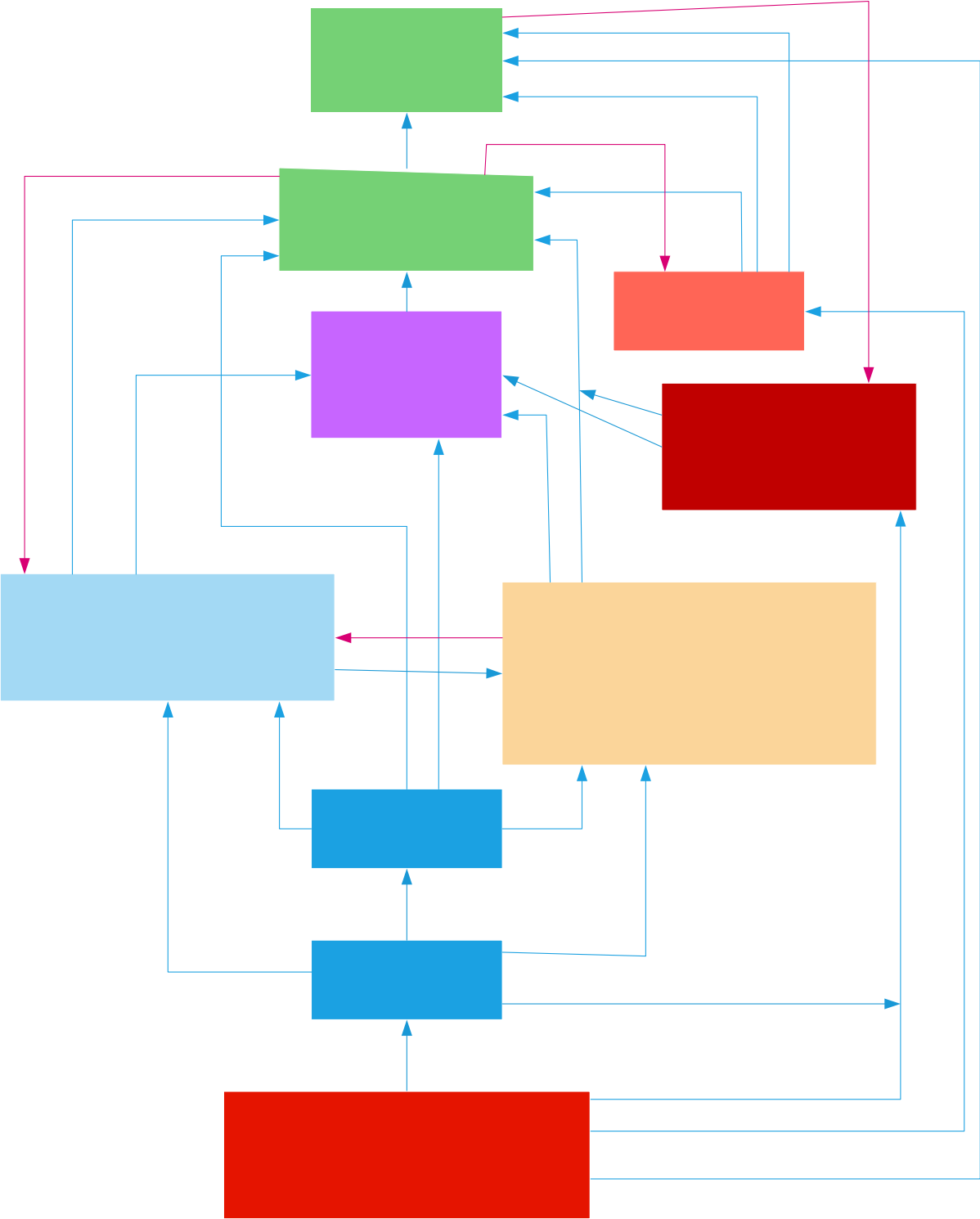
SEC – Scottish Executive Council; An executive council for Scotland with a similar role to the NEC. Can be overruled by the NEC

SOC – Standing Orders Committee – Draws up the standing orders for DM and examines and makes recommendations about the legitimacy of all motions to conference.

WEC – Welsh Executive Council; An executive council for Wales with a similar role to the NEC. Can be overruled by the NEC



# NUJ Structure



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