

B.U.T'S REFERENDUM APRIL 2016

CURRENT RULE 10:

Rule 10.0 Appeals Committee

- 10.1** The Appeals Committee shall consist of three persons selected from among the Members of the Union, elected at a Meeting of the Union.
- 10.2** Notice of Appeal against Executive decisions under Rule 8 by the party aggrieved shall be handed to the Committee at the conclusion of the hearing of the charge against him/her, and the appeal shall be heard and determined within twenty-one (21) days of such Notice of Appeal.
- 10.3** The party aggrieved shall lodge with the Secretary General within five days (5) the grounds of the Appeal.
- 10.4** A Member may appeal to the Annual General Meeting from a decision of the Appeal Committee.
- 10.5** No Member of the Appeals Committee shall be a member of the Executive Committee.
- 10.6** The Appeals Committee shall have jurisdiction to hear and determine any appeal from anybody, commission or committee of the Union with the exception of the Annual General Meeting.

PROPOSED RULE 10

RULE 10.0 APPEALS COMMITTEE

- 10.1** THE APPEALS COMMITTEE SHALL CONSIST OF FOUR MEMBERS OF THE UNION, ELECTED AT THE ANNUAL GENERAL MEETING.
- 10.2** EACH MEMBER OF THE APPEALS COMMITTEE SHALL BE A REPRESENTATIVE FROM ONE OF THE FOUR UNION DISTRICTS.
- 10.3** THE MEMBER ELECTED FROM THE NEW PROVIDENCE DISTRICT SHALL BE THE CHAIR OF THE APPEALS COMMITTEE.
- 10.4** THE APPEALS COMMITTEE SHALL SERVE FOR A PERIOD OF 3 YEARS.
- 10.5** MEMBERS OF THE APPEALS COMMITTEE ARE NOT ELIGIBLE TO CONTEST THE UNION'S GENERAL

ELECTION.

10.6 IN THE CASE OF THE DEATH OR RESIGNATION OF A MEMBER OF THE APPEALS COMMITTEE, A UNION MEMBER SHALL BE APPOINTED BY THE BRANCH OR DISTRICT COUNCIL AS A REPLACEMENT, FOR THE REMAINDER OF THE TERM OF SERVICE.

10.7 NOTICE OF APPEAL AGAINST EXECUTIVE DECISION UNDER RULE 8.7 OF THE CONSTITUTION AND ARTICLES 19.1, 19.5 AND 19.6 OF THE GOVERNANCE MANUAL, SHALL BE STATED AT THE CONCLUSION OF THE HEARING OF THE CHARGES AND RELATED PUNISHMENT(S) AGAINST HIM/HER.

10.8 THE APPEALS SHALL BE HEARD AND DETERMINED WITHIN TWENTY ONE (21) DAYS OF THE NOTICE OF APPEAL.

10.9 THE PARTY AGGRIEVED SHALL LODGE WITH THE OFFICE OF THE SECRETARY GENERAL WITHIN FIVE (5) DAYS THE GROUNDS OF APPEAL. IF THE SECRETARY GENERAL AND THE ASSISTANT SECRETARY GENERAL ARE THE AGGREIVED PARTIES, THEN THE GROUNDS OF APPEAL SHALL BE RECEIVED BY THE VICE- PRESIDENT.

10.10 THE SECRETARY GENERAL SHALL FACILITATE THE WORK OF THE APPEALS COMMITTEE AND SHALL ENSURE THAT AS SOON AS REASONABLY POSSIBLE THE APPEALS COMMITTEE RECEIVES ALL WRITTEN MATERIALS NECESSARY TO DETERMINE THE APPEAL INCLUDING THE CHARGES AND GROUNDS OF APPEAL.

10.11 A MEMBER MAY APPEAL THE DECISION OF THE APPEALS COMMITTEE TO THE ANNUAL GENERAL MEETING.

10.12 THE RULING OF THE APPEALS COMMITTEE SHALL BE BINDING UNTIL OVERTURNED BY THE ANNUAL GENERAL MEETING.

10.13 THE DECISION OF THE ANNUAL GENERAL MEETING SHALL BE FINAL.

10.14 NO MEMBER OF THE EXECUTIVE COMMITTEE SHALL SERVE ON THE APPEALS COMMITTEE

YES

NO

B.U.T REFERENDUM APRIL 2016

CURRENT RULE 8.13.2

8.13.2 The Executive Committee shall have the power to suspend, or expel, any Member, whether temporarily or permanently for such reasons and on such terms as they may deem expedient, and their decisions save as herein provided shall be final and conclusive for all purposes, provided that every such Member shall have the right within four (4) weeks of the date of the receipt notification of the decision of the Executive Committee to give notice of appeal and to appeal to the Appeals Committee.

PROPOSED NEW RULE 8.13.2

The Executive Committee shall have the power to suspend or expel any Member for such reasons and on such terms as they may deem expedient. Their decisions SHALL be binding and conclusive for all purposes, provided that any member so sanctioned shall have the right to appeal to the Appeals Committee.

YES.

NO.