Circular GC 02/24

Winter Gardens, Blackpool
28, 29, 30 April and 1 May 2024

Special Delegate Meeting

Preliminary Agenda

containing propositions received
involving alterations to Rules

Important – any amendment submitted must be forwarded to reach the Administration Office, Head Office **no later than Friday, 16 February 2024.**

Amendments received after this date, or not properly authenticated, will **not** be included in the Interim Agenda Paper.

USDAW

The National Executive Council, by virtue of their powers under Rule 8,
the proceedings of the 2024 Annual Delegate Meeting to give

NOTE – All references in the proposed alterations to a particular line or

PROPOSED ALTERATION

S1. By National Executive Council

SCHEDULE TO PART I. – SCALES OF CONTRIBUTIONS AND BENEFITS

In column headed 'Weekly Contribution':

Delete:	*'260p (268p)'*	*Substitute:*	*'268p (278p)'*
Delete:	*'176p (182p)'*	*Substitute:*	*'182p (192p)'*

At foot of Schedule:

NOTE 4: *Delete '2023' and substitute '2024'.*

ALTERATIONS TO RULES

Section 2, hereby convene a Special Delegate Meeting during consideration to the following proposed alterations to Rules.

lines in any Rule relate to such Rule as printed in the Rule Book.

RULE OR SECTION OF RULE AS ALTERED

SCHEDULE TO PART I. – SCALES OF CONTRIBUTIONS AND BENEFITS

Scale	Weekly Contri-bution	Maternity, Paternity and Adoption Benefit	Sickness Grant	Death Grant			Permanent Disablement Grant		DISPUTE BENEFIT	Trade Protection and Legal Aid
				Funeral	Industrial Accident	Non-Industrial Accident	Total	Partial	During Unemployment through a Strike sanctioned by the National Executive Council or through Lockout, or due to industrial action by or on behalf of the Union	
A	268p (278p)	£30 (£40)	Payment after continuous period of 6 weeks £30 (£40) Payment after 20 weeks £100 (£140) Payment after 40 weeks £75 (£105) Payment after 52 weeks £100 (£140)	£650 (£925)	£6,000 (£8,000)	£2,000 (£2,500)	£4,000 (£5,250)	£2,000 (£2,500)	Weekly benefit at the rate of £50 (£65) to all members	Members in all Scales are advised legally on matters relating to employment and Industrial Law and are protected regarding Wages, Hours, Overtime, Holidays, Unfair Dismissal, Redundancy, etc.
C	182p (192p)	£20 (£30)	Payment after continuous period of 6 weeks £15 (£20) Payment after 20 weeks £30 (£40) Payment after 40 weeks £35 (£50) Payment after 52 weeks £40 (£55)	£140 (£200)	£1,500 (£2,000)	£500 (£625)	£1,000 (£1,300)	£500 (£625)		

NOTE 1: With effect from 1st July 2021 new members shall be admitted to Scale A and existing members will not be able to transfer their membership to Scale C.
NOTE 2: The grants in **single** brackets to apply from the first week of the September Quarter, 2021.
NOTE 3: The amount shown as the weekly contribution includes the political contribution of 10p per week.
NOTE 4: The weekly contribution rates in **single** brackets to apply from the first week of the September Quarter, 2024.

PROPOSED ALTERATION

S2. By National Executive Council

31. Members Leaving Employment and Members Changing Occupation

Section 1(a). – Line 8: Delete '35p' and substitute '50p'.

Line 9: Delete '7p' and substitute '10p'.

Line 10: Delete '30th June, 2007' and substitute '29th June 2024'.

Section 1(b). – Delete all between 'prior to' in line 2 and 'shall' in line 3 and substitute '29th June 2024,'.

Section 4(a). – Line 5: Delete '35p' and substitute '50p'.

Line 6: Delete '7p' and substitute '10p'.

Line 7: Delete '30th June, 2007' and substitute '29th June 2024'.

Section 4(d). – Delete all between 'prior to' in line 2 and 'shall' in line 3 and substitute '29th June 2024,'.

RULE OR SECTION OF RULE AS ALTERED

31. Members Leaving Employment and Members Changing Occupation

Section 1 (a). A member of the Union, ceasing to be an employed person (a) by entering into business on their own account, or (b) by becoming the employer of another person or persons, shall thereupon cease to be a member of the Union, save that if she/he has been a member of the Union for not less than five years in a Scale of Contribution which provides for the payment of grant on the death of the member, she/he may elect to pay subject to the provisions of paragraph (b) a special contribution of 50p per week for Scale A and 10p per week for Scale C, for a member who ceases to be an employed person on or after 29th June 2024, to maintain entitlement to the funeral or death grant applicable to the Scale in which she/he is contributing at the current rate. When such member has been a contributor to the funds of the Union in one or other of the Scales specified above for a continuous period of 30 years no further contribution shall be necessary to qualify for the aforesaid funeral or death benefit.

(b). Members who have elected to pay a special contribution rate at the time of ceasing to be an employed person prior to 29th June 2024, shall continue to pay the same amount to maintain their then existing entitlement to death benefit or death grant.

Section 4 (a). A member of the Union ceasing to be an employed person by retiring from employment, compulsorily or voluntarily, with or without a pension or superannuation allowance, shall be entitled to remain a member subject to the provisions of paragraph (d) on payment of a special contribution of 50p per week for Scale A and 10p per week for Scale C for a member who ceases to be an employed person on or after 29th June 2024, providing that if she/he has been a contributor in one of the full membership Scales for a period of 30 years she/he shall be excused any further contribution and be issued with a Free Life Membership Card.

(d). Members who have elected to pay a special contribution rate at the time of ceasing to be an employed person prior to 29th June 2024, shall continue to pay the same amount to maintain their then existing entitlement to death benefit or death grant.

PROPOSED ALTERATION

S3. By National Executive Council

8. Delegates and Delegate Meetings

Section 4. – Line 2: Delete 'Trustees' and substitute 'Trustee Directors'.

9. National Executive Council

Section 13. – Line 5: Delete 'Trustees' and substitute 'Trustee Company'.

Line 13: Delete 'Trustees' and substitute 'Trustee Directors'.

13. Trustees

Delete all and substitute:

'13. Assets and Trustee Provision

Section 1. All property of the Union shall be held by a trustee company specified by the National Executive Council (hereinafter called the Trustee Company) in trust for the Union in accordance with the provisions of these Rules. For the avoidance of doubt, the property of the Union includes all funds and assets of the Union and its constituent bodies.

Section 2. The Trustee Company shall invest, dispose of or otherwise deal with the funds and other assets of the Union in accordance with the instructions of the National Executive Council. Subject to the provisions of these Rules, the National Executive Council shall have complete discretion how to instruct the Trustee Company to invest, dispose of or otherwise deal with the property of the Union.

Section 3. The Trustee Company may purchase or take upon lease any real or personal property and sell, let, exchange, raise or borrow money by way of mortgage or otherwise on the same in accordance with the instructions of the National Executive Council.

Section 4. The Trustee Company is the trustee of the Union.

Section 5. The National Executive Council may appoint and remove a second trustee where necessary to facilitate disposal of Union property, and solely for such purpose.

Section 6. The Directors of the Trustee Company shall consist of two members of the Union elected by an Annual or Special Delegate Meeting and hold office during the will and pleasure of the Union as expressed by the majority of the delegates at an Annual or Special Delegate Meeting. They shall remain fully qualified members of the Union, and on ceasing to be such shall cease to hold the office of Trustee Director.

Section 7. In case of a vacancy occurring, for whatever reason, the National Executive Council shall have the power to appoint another Trustee Director, such Trustee Director to act only until the next Delegate Meeting.

Section 8. The two members of the Union elected to act as Trustees by the Delegate Meeting preceding the coming into force of this rule shall on the date of the coming into force of this rule become the first Trustee Directors and hold office until such time as they leave the role by resignation, or removal from office or otherwise.

Section 9. Subject to the provisions of the Companies Act 2006, the National Executive Council shall appoint and may at any time replace the company secretary of the Trustee Company.

Continued on page 7

RULE OR SECTION OF RULE AS ALTERED

8. Delegates and Delegates Meetings

Section 4. The National Executive Council, National Officers, all permanent officials of the Union, Trustee Directors, Scrutineers and Auditor, together with members of the Regional Councils shall have the right to attend and take part in any Delegate Meetings, but they shall not be entitled to vote, except in the case of the President who may give a casting vote, if necessary.

9. National Executive Council

Section 13. The National Executive Council shall cause the accounts of the Union to be regularly entered in proper books, examine the state of the accounts, provide for the payment of all liabilities, and determine all investments. They shall have power to purchase or take upon lease in the names of the Trustee Company for the time being any real or personal property and to sell, let, exchange such property, raise or borrow money by way of mortgage or otherwise on the same. They shall be empowered to engage, discharge, and fix the remuneration of such assistants, organisers and other officers as may be necessary to carry on the business, organisation and propaganda of the Union efficiently and promptly, and, for the same purposes, to divide the country into regions, districts or areas otherwise defined. They shall also fix the remuneration of the President, Trustee Directors, Auditor and all other officers of the Union. The National Executive Council shall pay from the Central Funds to the Trustees or Committee of the Staff Superannuation Fund, in respect of the employees of the Union who are contributors to that Fund, periodical amounts on an agreed basis between the employees and the National Executive Council.

13. Assets and Trustee Provision

Section 1. All property of the Union shall be held by a trustee company specified by the National Executive Council (hereinafter called the Trustee Company) in trust for the Union in accordance with the provisions of these Rules. For the avoidance of doubt, the property of the Union includes all funds and assets of the Union and its constituent bodies.

Section 2. The Trustee Company shall invest, dispose of or otherwise deal with the funds and other assets of the Union in accordance with the instructions of the National Executive Council. Subject to the provisions of these Rules, the National Executive Council shall have complete discretion how to instruct the Trustee Company to invest, dispose of or otherwise deal with the property of the Union.

Section 3. The Trustee Company may purchase or take upon lease any real or personal property and sell, let, exchange, raise or borrow money by way of mortgage or otherwise on the same in accordance with the instructions of the National Executive Council.

Section 4. The Trustee Company is the trustee of the Union.

Section 5. The National Executive Council may appoint and remove a second trustee where necessary to facilitate disposal of Union property, and solely for such purpose.

Section 6. The Directors of the Trustee Company shall consist of two members of the Union elected by an Annual or Special Delegate Meeting and hold office during the will and pleasure of the Union as expressed by the majority of the delegates at an Annual or Special Delegate Meeting. They shall remain fully qualified members of the Union, and on ceasing to be such shall cease to hold the office of Trustee Director.

Section 7. In case of a vacancy occurring, for whatever reason, the National Executive Council shall have the power to appoint another Trustee Director, such Trustee Director to act only until the next Delegate Meeting.

Section 8. The two members of the Union elected to act as Trustees by the Delegate Meeting preceding the coming into force of this rule shall on the date of the coming into force of this rule become the first Trustee Directors and hold office until such time as they leave the role by resignation, or removal from office or otherwise.

Section 9. Subject to the provisions of the Companies Act 2006, the National Executive Council shall appoint and may at any time replace the company secretary of the Trustee Company.

PROPOSED ALTERATION

Continued from page 5

Section 10. Property which immediately prior to the coming into force of this rule was vested in other trustees (whether individual or corporate) in trust for the Union shall on the date of the coming into force of this rule vest in the Trustee Company.'

14. Auditor, Assurer and Scrutineers

Section 1. – Line 8: Delete 'Trustees' and substitute 'Trustee Directors'.

RULE OR SECTION OF RULE AS ALTERED

Section 10. Property which immediately prior to the coming into force of this rule was vested in other trustees (whether individual or corporate) in trust for the Union shall on the date of the coming into force of this rule vest in the Trustee Company.

14. Auditor, Assurer and Scrutineers

Section 1. A qualified Auditor, as defined in the Trade Union and Labour Relations (Consolidation) Act 1992, together with two Scrutineers, shall be elected by an Annual or Special Delegate Meeting. Each shall serve a term of two years and be eligible for re-election. The appointed Auditor may be removed only in accordance with the provisions of the Trade Union and Labour Relations (Consolidation) Act 1992. Vacancies shall be provided for in a similar manner to Trustee Directors' vacancies.

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