**Fairness for Education Workers**

**Union**

**Suite 2, Parterre Lodge, Dundrum, County Down BT33 0WJ**

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**CONSTITUTION**

**Introduction**

1. The name of the union shall be the "Fairness for Education Workers Union" (referred to in this constitution as "the Union”).

2. The Union was established on 8th May 2025 as a temporary union within the meaning of Section 3(1)(a) of the Industrial Relations (Northern Ireland) Order 1992.

3. The registered office of the Union shall be Suite 2, Parterre Lodge, Dundrum, County Down BT33 0WJ or such other place as may be decided upon by the Executive Council.

4. This Constitution applies to all members of the Union and represents the entirety of the rules applicable to members of the Union, save as explicitly provided for under this Constitution.

5. The Union has the following mission statement:

"*The Union is an organisation formed, and for the benefit, of workers in the education sector (regardless of role within that sector). The Union’s principal purpose is to:*

* *identify, investigate and study instances of* *inequalities, inequities, unfair treatment, detriment, disadvantage and prejudice in existing disciplinary, grievance and other policies and procedures that result in unfair detriment to education sector workers;*
* *collect and collate data and evidence (including, where appropriate, the preparation of case studies) of the above matters;*
* *approach relevant authorities and/or entities to promote discussion of these matters with the objective of negotiating amended policies and procedures that are fair and reasonable to all parties; and*
* *seek the support and collaboration of other education sector unions to form a coalition (or otherwise cooperate) to jointly pursue the amendment of such policies and procedures through representation to and collective bargaining with relevant authorities and entities.”*

**Objectives**

6. The primary purposes of the Union are to proactively identify, study, investigate and, ultimately, pursue the amendment and removal of provisions of relevant disciplinary, grievance and other policies, procedures and documentation which result in inequalities and inequities that operate unfairly and unreasonably to the detriment, disadvantage and prejudice of workers in the education sector. In due course, the Union will engage with other relevant unions to seek their support and cooperation in raising such matters with relevant and appropriate authorities and entities to lobby for suitable amendments whether by means of collective bargaining or otherwise.

7. The Union shall have, without limitation of the above primary purpose, the following objectives:

• to identify, study and collect evidence in relation to elements of disciplinary, grievance and other policies, procedures and documentation that involve inequalities and inequities that operate unfairly and unreasonably to the detriment, disadvantage and prejudice of workers in the education sector;

* to research such inequalities, inequities, detriments, disadvantages and prejudices and prepare suitable position papers, analyses and other documents (including proposed draft policies and procedures) with the objective of lobbying relevant authorities and entities to procure changes and/or amendments to the benefit of workers in the education sector to include, where appropriate, engaging in collective bargaining or other activities of that nature;
* to seek the support and collaboration of other appropriate unions or groups of unions in connection with such activities of lobbying, collective bargaining and the like to achieve removal of inequalities, inequities, detriments, disadvantages and prejudices;
* to aid in, and join with any other union or group of unions having for their objects, or one of them, the promotion of the interests of workpeople within the scope of the Trade Union Acts in the said context;
* to lobby, engage with and discuss with (whether through collective bargaining or otherwise) appropriate authorities and/or entities with the aim of achieving the above-stated objectives;
* to promote fair and proper treatment for all members in the context of any and all employment-related procedures, processes and related matters;
* to protect the legitimate interests of its members in the context of employment-related procedures, processes and related matters;
* to provide assistance to members in relation to inequalities, inequities, unfair treatment, detriment, disadvantage and prejudice arising from the said policies and procedures;

• to provide legal or other assistance when necessary in matters pertaining to the employment of members in relation to employment-related procedures, processes and other matters; and

• to do all such other things as may in the opinion of the Executive Committee be incidental or conducive to the attainment of these objects.

8. The services provided by the Union are limited as stated herein.

**Membership**

9. Membership of the Union is available to all class of workers without distinction of race, ethnic origin, religion, age, gender, disability or sexual orientation.

10. The qualifications for full membership of the Union shall be as follows:

1. all workers (regardless of role) employed in the education sector, and particularly in primary and secondary education, shall be eligible for membership;
2. the Union will be subject in due course to any modifications of constitution or practice as will make it accord with any general plan of trade union reorganisation formulated by an authority set up by or under the assent of the Trades Union Congress, and which is made applicable to all trade union organisations alike; and
3. applicants must, in accordance with the Trade Union Acts, be not less than 16 years of age.

11. The Union recognises that a worker means an individual who works or normally works or seeks to work:

(a) under a contract of employment;

(b) under any other contract (whether express or implied, and, if express, whether oral or in writing) whereby he/she undertakes to do or perform personally any work or services for another party to the contract; or

(c) in employment under or for the purposes of a government department (otherwise that as a member of the naval, military or air forces of the Crown in so far as any such employment does not fall within paragraph (a) or (b) above.

12. Any eligible person may apply for membership by completing the appropriate application form agreeing to be bound by the rules of the Union and submitting it to the Union office or by electronic means (see the Union’s website). An applicant shall become a member when his/her application has been approved and he/she has been entered into the register of members.

13. Each member must notify the Union’s membership department of any subsequent change of address. In the absence of such notice, the Union shall be entitled to treat the address shown on that member’s application form as the member’s address for all correspondence.

14. Each member must notify the Union of any subsequent change of workplace.

15. There is no membership contribution. The Union offers its services without charge.

16. Admission to membership is at the discretion of the Executive Committee.

**Contributions and Benefits**

17. As noted above, the Union offers its limited services to members without charge and on a “pro bono” basis.

18. The Executive Committee, in its discretion, shall determine the scope and extent of services and benefits.

19. In relation to its limited purposes, the Union may provide legal assistance in its discretion and, where applicable, on terms to be agreed with the relevant member.

20. The Union may provide such advice and/or representation as the Executive Committee shall consider appropriate and on such terms as the Executive Committee shall consider appropriate.

21. The Executive Committee may extend legal assistance to a member who is not otherwise entitled to benefits.

22. A member who is given advice and/or representation under this rule shall provide all relevant information and co-operate fully with the compilation of evidence for any legal proceedings and shall comply with any other obligations and/or conditions set out in any arrangements for the provision of legal assistance. If a member fails to do so or provides false or misleading information or fails to act upon the advice of those appointed to represent him/her, the Executive Committee may at its absolute discretion annul all legal assistance or withdraw any further legal assistance to that member.

23. The Executive Committee shall have discretion to provide additional benefits.

**Obligations of Members**

24. A member of the Union must comply with these rules and with any duty or obligation imposed on that member by or pursuant to these rules.

25. A member must not knowingly, recklessly or in bad faith provide the Union with false or misleading information relating to a member or any aspect of the Union’s activities.

**Meetings of the Union**

26. The Union shall hold an annual general meeting not later than four months after the end of each calendar year. At least 3 members of the Union, or the Executive Committee, may at any time require the Secretary to convene a general meeting of the Union. In convening such a meeting the Secretary shall give not less than 21 days’ notice to members.

27. The meetings of the Executive Committee shall be held as often as necessary at the Central Office or at such other places as may be most expedient for the transaction of the Union’s business. A special meeting may be summoned on the requisition of a majority of the voting members of the Committee, which shall give 6 clear days’ notice of such meeting, and shall state the object for which the meeting is called. No business shall be transacted other than that stated on the notice convening the special meeting. A special meeting may be called at any time when considered necessary by the General Secretary.

**Executive Committee**

28. The affairs of the Union shall be directed by an Executive Committee comprising a maximum of nine (9) members.

29. The Executive Committee shall have full control of the business of the Union and shall have power to do anything not inconsistent with these Rules or the Acts of Parliament under which the Union may be certified as an independent trade union. In the event of any question arising on which the Rules are silent or obscure, the Executive Committee shall have power to decide thereon.

30. The Executive Committee may make bye laws governing the conduct of elections including provision to phase retirements.

31. Each member of the Executive Committee shall have one vote. The President shall have a second, or casting, vote in the event of equality.

**President and Deputy President**

32. The Executive Committee shall, at its first meeting in each calendar year, elect a President to hold office until the first meeting in the following calendar year. All elections shall be by secret ballot. The Executive Committee shall also elect a Deputy President. In the event of the President or the Deputy President resigning or ceasing to be a member of the Executive Committee, the Committee shall have power to elect a replacement to serve for the remainder of the term.

**Committees and Panels**

33. The Executive Committee may establish and maintain sub-committees and project groups and may delegate matters to them. The Executive Committee may appoint technical panels to advise and assist it.

**General Secretary**

34. The Executive Committee shall appoint a General Secretary who shall be responsible to it for the management of the Union and who shall also be the principal representative of the Union and the principal policy adviser to the Executive Committee.

**Delegation**

35. The Executive Committee and the General Secretary may delegate any of their powers.

**Right To Be Accompanied – Section 10 of the Employment Relations Act 1999**

36. All members have the right to be accompanied at any grievance, disciplinary or other formal or informal hearing by an appointed Union officer.

37. The Union maintains that it does not intend to appoint members as officials so that they can make use of section 10 of the Employment Relations Act 1999, to accompany workers for commercial gains.

**Legal Services**

38. The Union exists for the specific purpose described above and, consequently, does not offer a full range of legal services: matters such as general employment advice, will writing, Powers of Attorney, personal injury compensation and the like are not offered.

39. All Union services are provided by persons of appropriate expertise and experience.

**Revision of the Constitution**

40. This constitution shall be amended by the Union, provided that at least 75% of the members of the Union present at the meeting vote in favour of amendments of which prior notice has been given.

**Assets and Trustee Provisions**

44. The Union will not have any assets and there is no need to make provision for such to be held under any trust arrangement.

**Membership Discipline**

41. A member may be charged with:

• acting in any way contrary to these Rules or any duty or obligation imposed on that member by or pursuant to these Rules;

• being a party to any fraud on the Union;

• knowingly, recklessly or in bad faith providing the Union with false or misleading information relating to a member or any other aspect of the Union’s activities;

• inciting, espousing or practising discrimination or intolerance amongst members on grounds of race, ethnic origin, religion, age, gender, disability or sexual orientation;

• bringing about injury to or discredit upon the Union or any member of the Union; or

• obtaining membership of the Union by false statement material to their admission into the Union or any evasion in that regard.

42. Disciplinary Hearings shall be organised and conducted under directions issued by the Executive Committee. These directions ensure that the process is fair and conducted in accordance with the principles of natural justice.

**Voluntary Dissolution**

43. The Union may be dissolved by a decision of the Executive Committee.

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President Member of the

Executive Committee

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