

**CONSTITUTION AND RULES OF THE
FIJI BANK & FINANCE SECTOR EMPLOYEES UNION**

1. TITLE & OFFICE

- a. The name of the Union shall be FIJI BANK AND FINANCE SECTOR EMPLOYEES' UNION or FB&FSEU (referred to as the "UNION" in this Constitution).
- b. The Office of the Union shall be situated at 40 Disraeli Road, Suva, Fiji, or any such other place as decided by the Executive Council and approved by the Annual General Meeting or at the Special General Meeting.
- c. The Postal Address of the Union shall be GPO Box 853, Suva Fiji, or any such other place as decided by the Executive Council and approved by the Annual General Meeting or at the Special General Meeting.
- d. The rules of this Constitution apply to all members of the Union and represent the entirety of the rules applicable to members of the Union, save as explicitly provided for under this Constitution. The Executive Council shall ensure that;
 1. a copy of these rules shall be given to any member within seven days of joining the Union and thereafter on demand on payment of the sum of five dollars or an electronic copy on demand at no cost
 2. a copy of these rules shall be prominently displayed in the registered office of the Union
 3. a copy of the rules shall also be available on the Union's website.

2. INTERPRETATIONS

- i. For the purpose of these Rules, any reference to a person using gendered pronouns or terms, including but not limited to "he," "him," "his," or "himself," shall be interpreted to include persons of all genders, including masculine, feminine, and non-binary, unless the context clearly indicates otherwise.
- ii. For the purpose of these Rules, the words **member** or **financial member** means an individual who has formally joined the union by meeting its eligibility criteria, applying for membership and having his application

accepted by the union, and paying any required dues or subscriptions. This person agrees to abide by the union's rules and constitution and is entitled to the rights, protections, and services the union provides, such as representation in workplace matters, access to union benefits, and participation in union decisions and elections.

- iii. For the purpose of these Rules, the words **Executive Council** means the governing body of officers responsible for overseeing the management, operations, and strategic direction of the union.
- iv. For the purpose of these Rules, the word **Officer** means a member of the union who is appointed to the Executive Council to represent the interests of fellow union members employed by the same organization he represents.
- v. For the purpose of these Rules, the word **Office Bearer** means an officer of the union who holds a designated leadership or administrative position within the union and is responsible for carrying out specific duties in accordance with the union's constitution or rules.
- vi. For the purpose of these Rules, the word **Employee** means an individual employed on a full-time, part-time or contract basis by the union to carry out duties such as member representation, collective bargaining, administrative support, record-keeping, communications, finance, or other operational tasks as directed by the union's Executive Council. This includes the National Secretary.
- vii. For the purpose of these Rules, the word **Chairman** in relation to an Annual General Meeting (AGM) or Special General Meeting means the National President of the Union. In the absence of the National President, the role of Chairman shall be fulfilled by a Vice President formally delegated by the National President to preside over the meeting

3. EFFECTIVE DATE

- a. This Constitution shall become effective from the day it is approved and registered by the Registrar of Trade Unions.
- b. This Constitution shall repeal and replace the former Constitution, and any rules made there under, from the date this Constitution becomes effective.

4. OBJECTS OF THE UNION

The objects of the Union shall be as follows:

- a) To secure the complete unionization and representation of all local employees in Fiji working in banks, non-bank financial institutions, insurance companies, statutory and regulatory bodies involved in

financial services, investment firms, credit institutions, microfinance and development finance organizations, as well as companies operating in the finance, financial technology (FINTEC), digital payments, blockchain, and other emerging financial service sectors.

- b. To obtain and maintain just and proper rates of salary/wages, hours of work, and other labour conditions and generally to protect members' interests.
- c. To regulate Employment relations and settle disputes between Union members and their respective employers and;
 - i. To assist with grievances between one member and another,
 - ii. To assist with grievances between members and other workers by amicable agreements wherever possible.
 - iii. Instances relating to (c) (i - ii) are subject to the discretion of the Executive Counsel.
- d. To promote a spirit of mutual respect and understanding between employers and the Union and to secure the establishment of a recognized and permanent machinery for negotiation with the Employers.
- e. To provide, for members benefits as the Annual or Special General Meeting may decide such as:
 - i. Retirement, redundancy and retrenchment benefits
 - ii. death gratuities and funeral expenses.
 - iii. legal advice and legal assistance where necessary in connection with the employment of members.
 - iv) National Sporting duties & Disaster benefits
- f. Generally, to promote the material, cultural, social educational and recreational welfare of members in any lawful manner by the provision of educational facilities, clinics, clubs or other undertakings which the Executive Council or the Annual or Special General Meeting may from time to time deem expedient.
- g. The Furtherance, by financial assistance or otherwise of the work of purpose of any lawful association or Trade Union Federation having for its objects the promotion of interests of labor and trade unionism.
- h. The Establishments, carrying on or participation, financial or otherwise, in the business of the printing or publishing of a newspaper, periodical bulletin, book, pamphlet, or other publication or printed literature and

publishing on social media platforms in the interests of, and with the main purpose of, furthering the lawful interests of the Union or its members.

- i. The promotion of legislation in the interests of its members.
- j. To use all lawful and legitimate means including strikes, if necessary, to attain its objects herein specified and to do all such other acts or take such other measures as are incidental and conducive to their attainment and to the smooth and efficient working of the Union.
- k. To provide protections and representation for its members thus contributing to securing and enhancing efficiency within the sectors it represents across Fiji.

5. POLITICS

The Union shall remain strictly independent of, and shall not support, affiliate with, or endorse, any political party or political group. It shall maintain political neutrality in all of its activities, communications, and representations.

Any officer or employee of the Union who uses, or attempts to use, their position or association with the Union for the purpose of advancing personal political interests or gaining political advantage shall be considered to be in breach of this Constitution and shall be subject to disciplinary action in accordance with the Union's rules and procedures.

Notwithstanding the Union's apolitical stance, it reserves the right to engage in actions—including, but not limited to, advocacy, public statements, protest, or lobbying—on any matter that impacts its objectives or affects the rights, interests, or welfare of its members. This includes matters arising from the conduct or decisions of public bodies, private entities, or any other individual or organization, including governmental authorities.

The Executive Council of the Union shall have the authority to determine and establish the policies and procedures by which such actions are undertaken, consistent with the Union's objectives and this Constitution.

6. MEMBERSHIP

- a. Membership in the Union is open to all local employees working in banks, non-bank financial institutions, insurance companies, statutory and regulatory bodies involved in financial services, investment firms, credit institutions, microfinance and development finance organizations, as well as companies operating in the finance, financial technology (FINTEC), digital payments, blockchain, and other emerging financial service sectors.

- b. Any other worker who is not a member of any other trade union and who in the exercise of his rights under Section 32 and 33 of Fiji's Constitution and ILO Core Convention 87 to join any union of his choice may apply for membership of the Union.
- c. Nothing contained in provisions of Rule 6 (a - b) of this Constitution shall prejudice the right of the Union to decline to accept for membership any person or any group or groups. The decision to decline membership for any person/group or groups must be endorsed by majority vote in an Executive Council meeting.
- d. The Union in exercising its right as described in Rule 6 (c) above to decline an application for membership is not obliged to give its reasons for declining the membership application(s).
- e) A person's membership shall be deemed to have ceased if subscription payments are not received despite reasonable follow-up efforts by the Union Secretariat, or if the individual formally notifies the Union of their intention to cancel their membership. In the event that such a person wishes to re-join the Union, they must submit a new application for membership, including a written explanation of the reasons for their prior cessation. Acceptance of the application shall be at the sole discretion of the Executive Council and may be subject to the payment of any applicable penalties.
- f) Members of the Union that have resigned from their work or have moved to work in an organization or industry not listed in rule 6 a) would have been deemed to have resigned.

7. RULES & DISCIPLINE PROCEDURES

- a. Every person accepted as a member of the Union and for so long as he continues as a member by the Union's Constitution and Rules (which may be amended from time to time) shall be deemed to have undertaken.
 - i. To act in the interest of the Union and members collectively in a spirit of mutual co-operation.
 - ii. To abide by a majority decision of members and Executive Council within the Scope of the Constitution.
 - iii. To comply with the Rules of the Union.
 - iv. To not act in opposition to the objects of the Union which may be detrimental to the interest of its members.

- v. To refrain from making a false charge or false accusations against any officer or office bearer or a fellow member or an employee of the Union.

- b. Any member or Officer who contravenes any of the provisions of this section or any other Rules shall be deemed to be suspended and removed from the position held, pending disciplinary action by the Executive Council. National Secretary on the instructions of the Executive Council will write to member other or the Officer informing him/her of this suspension.

- c. The Executive Council shall engage the Grievance & Disciplinary Committee to deliberate and provide recommendations in line with the provisions of this constitution and in accordance with the principles of natural justice.

- e. Any member or Officer deemed to be suspended shall;
 - i. be entitled to be heard in person and;
 - ii. shall be entitled to have his case stated by a financial member of the Union nominated by him.

- f. The Chairman of the Committee shall present the facts of the charge to the member or officer and the member or officer or the representative nominated by them shall present a defence to those facts.

- g. The Chairman of the Committee will make known findings of the case to the Executive Council.

- h. If a member is proved to the satisfaction of the Executive Council to have been guilty of conduct prejudicial to the interests of the Union the Executive Council may:
 - i. fine such member a sum to be decided by the Executive Council.
 - ii. suspend such member from the Union for a period not exceeding three months, or
 - iii. expel such member from the Union.

- i. A member or an officer who is aggrieved by the decision of the Executive Council and, who has been fined, suspended or expelled from office may within 21 days after he has been notified of his suspension or removal, notify the Executive Council in writing of his intention to appeal to the next Annual or Special General Meeting of the Union.

- j. The Annual General Meeting or Special General Meeting shall hear the appeal and the Chairman of such a meeting shall present the facts of the case and the member or the officer concerned shall be entitled to present his defence.
- k. The decision of AGM /SGM shall be final and binding.

8. SUBSCRIPTION

- a. The annual subscription shall be \$156.00 (one hundred and fifty-six dollars) for the salaried Staff and \$78 (Seventy-Eight Dollars) for the Service Staff and Part Time Staff.
- b. Where a member elects to pay his subscription by way of deductions from his salary and signs the necessary authority, the Subscription due and payable in respect of that year shall be that proportion of the annual subscription as would be deducted from his salary.
- c. The Annual or Special General Meeting of the Union shall have the power to alter all fees, subscriptions, and contributions for the purpose of providing further benefits for members.
- d. The executive Council is empowered, if the Union's financial position permits to reduce the subscriptions of members facing financial hardship.
- f. Members of the Union that are in 4 weeks' arrears of subscriptions shall not be entitled to any Union benefits nor will they be permitted to vote or speak at any meeting unless called upon by the Chairman to do so.
- g. Members whose subscriptions are more than Twelve months in arrears shall cease to be members of the Union.

9. GOVERNANCE OF THE UNION

- a. The supreme Authority of the Union shall be vested in the Annual or Special General Meeting of the Union, and subject to that Authority, the Union shall be governed and administered by the Executive Council. Between Executive Council meetings, Office Bearers shall meet to consider key matters and report recommendations for final decision by the Executive Council.
- b. Notwithstanding any provision in this constitution all the powers and duties vested in an Annual or Special General Meeting may be exercised by a Delegates Conference which may be convened in lieu of an Annual or Special General meeting.

- c. A delegates' conference shall consist of at least one delegate for every twenty members of the Union represented in financial and other institutions or undertakings employing Union members;
- d. All the rules and procedures for the convening and conduct of Annual and Special General meeting shall apply to Delegates Conference.
- e. Fifty percent of the total number of delegates entitled to be present at a Delegates Conference shall constitute a quorum for the Delegates Conference.

10. ANNUAL OR SPECIAL GENERAL MEETINGS OF THE UNION

- a. The Annual General Meetings of the Union shall be held at the direction of the Executive Council and as soon as practicable after the close of the financial year.
- b. Special General Meetings may be called by the Executive Council or at the request of twenty per centum or more of the total number of members of the Union who are not more than four weeks in arrears of subscriptions.
- c. All financial members are entitled to Vote at Annual General Meetings or Special General Meetings.
- d. The business of the Annual General Meeting shall be:
 - i. To receive reports from the Executive Council to review the past work of the Union and to plan future policy;
 - ii. to receive the audited accounts for the previous year and to consider the financial position of the Union;
 - iii. To consider motions (if any) of which due notice has been given to the National Secretary in writing.
 - iv. To confirm positions of: -
 - 1. Executive Council members subject to provisions of Rule 15 (b) and (d);
 - 2. Office Bearers subject to Rules 15 (c) (i - iv)
 - 3. Branch committee members subject to provisions of Rule 16 (c) (i - iv)
 - 4. The position of National Secretary subject to provisions of Rule 18.
- e. To appoint an auditor or auditors.
- f. To discuss any other business or matter concerning the Union or its members as the Chairman of the meeting may allow.
- g. The Annual or Special General Meeting shall deal with such business as is specified in the agenda and no other business shall be dealt with except with the approval of the Chairman of the meeting.
- h. No member shall speak on any issue without first obtaining the permission of the Chairman of the meeting. The Chairman shall have the power to order

any speaker to resume his seat at any time. This provided, however, that permission shall not be withheld if the subject on which the member wishes to speak is relevant to the business being discussed.

- i. Decisions at any meeting shall be taken by a majority vote. In the event of a tie of votes, the Chairman of the meeting shall have a casting vote.
- j. Annual General Meeting or Special General meeting may be adjourned from time to time at the discretion of the Executive Council.
- k. At least 5 days' notice shall be published to hold a meeting that was adjourned.
- l. An adjourned meeting when resumed shall only deal with matters outstanding on the agenda from which the meeting was adjourned.
- m. The National Secretary, on the instructions of the Executive Council shall prepare an agenda of the Annual or Special General Meeting and shall make it known to the members by publishing such agenda in the Unions Newsletter and also by inserting a notice of such agenda in one newspaper circulating in Fiji not less than 14 days before the meeting is due to take place. Newsletter to be- circulated to all members by email or Union's website and other social media platforms if possible.
- n. Not less than 5 days' notice of Special General Meeting shall be given by inserting a notice in one newspaper circulating in Fiji and an agenda showing the business of the meeting shall accompany such notice. Discussion at the Special General Meeting shall be limited to those matters contained on the agenda and decisions reached shall have the validity as decisions reached by the Annual General Meeting.
- o. Where any change in the rules of the Union is contemplated, such change shall be specifically stated in the agenda of the meeting.
- p. The quorum for all Annual and Special General Meetings of the Union shall be at least twenty per centum of the voting members of the Union. With the exception of decisions regarding any change of name of the Union, or the amalgamation with another Union, affiliation to any National Centre, election of office bearers, strikes and changes to rules, all other decisions taken at Annual or Special General Meetings will be valid if passed by a majority vote of all voting members present.
- q. Except where provided for in Rule 11 (b) voting will be by show of hands: Provided that if 50% or more voting members at an Annual or Special General Meeting request for a vote to be taken by secret ballot such vote must be by secret ballot.
- r. The National Secretary or an officer appointed for the purpose under Rule 11 (b) shall be responsible for issuing ballot forms. Ballot forms will be issued only to voting members.
- s. All ballot forms must be filled in at the place provided. They must not be signed by the person filling them in. They must be placed in the sealed ballot box provided for the purpose only by the person filling in the ballot

form. The Executive Council or the Election committee will appoint persons to supervise and safeguard ballot boxes.

- t. Two or more scrutineers shall be elected at the Annual or Special General Meeting from members. The scrutineers will be responsible to the Executive Council or Election Committee for collecting ballot boxes and counting and checking ballot forms.

11. ELECTIONS AND SECRET BALLOT

- a. All elections or other matters for decision by secret ballot at an Annual or Special General Meeting of the Union shall be held under the authority of the Executive Council or Election Committee appointed specifically for the purpose by the Executive Council.
- b. All decision in respect of the following shall be conducted in accordance with Trade Union Regulation (amendment) regulation 1991 and as prescribed by the Executive Council.
 - i. election and dismissal of officers including Branch officers of the Union.
 - ii. election and dismissal of the Executive Council or any member thereof.
 - iii. the alteration of the rules of the Union.
 - iv. amalgamation of the Union with another Trade Union or similar body
 - v. all matters relating to strikes and lockout
 - vi. dissolution of the Union.
 - vii. imposition of levies.
 - viii. the federation of the Union with any other trade union or with a trade Union Federation.

12. AMENDMENTS

- a. The Annual or Special General Meeting called in conformity with the Constitution and Rules of the Union shall be the only authority to rescind, alter or add to any of those rules.
- b. All amendments to the Constitution and Rules of the Union shall be made in accordance with the provisions hereunder:
 - i. A notice in writing (on prescribed form attached to this constitution) signed by at least five financial members of the Union, setting out the motion intended to be moved to add to,

delete or amend any provision of the Constitution shall be sent to the National Secretary and the Executive Council so as to reach them at least 21 clear days before the day fixed for such a meeting.

- ii. The National Secretary shall call a meeting of the Executive Council and shall table all such notices, or motions received.
- iii. The Executive Council shall cause to be published all such motions in accordance with the provisions of this Constitution.
- iv. Amendments to the Constitution may, after they have been approved by such a meeting be published in the Union's Newsletter or in such other manner as the Executive Council may determine from time to time. Such publication shall be deemed to have the same effect as if members were served with personal notices.
- v. The National Secretary shall submit all such amendments to the Registrar of Trade Unions within fourteen days of such a meeting.

13. MOTIONS

- a. Unless expressly otherwise provided in the Constitution, motions for discussion and decision at an Annual or Special General Meeting shall be sent on the prescribed form attached to this constitution so as to reach the National Secretary and the Executive Council at least twenty-one clear days before the day of such meeting.
- b. All motions received to be tabled at an Executive Council meeting before the date the AGMs.

14. NOMINATION OF OFFICERS

- a. Nominations for appointments to the Executive Council shall be on the prescribed form available at the Union secretariat office.
- b. Such nomination shall be signed by at least five financial members of the Union, in the prescribed form known as form "A" or any other recognized prescribed form, with the consent of the nominee endorsed thereon, shall be forwarded to the National Secretary so as to reach him as prescribed by the National Executive Council.
- c. No member shall be accepted as a nominee.
 - i. who has been convicted of any crime involving fraud, dishonesty, or extortion, to an office bearers' position of the Union;

- ii. who, as an ordinary member or Member of the Executive Council, is currently being investigated for any breaches to the rules of the Union;
 - iii. who, as an ordinary member or Member of the Executive Council, has breached the rules of the Union as determined by the Executive Council;
- d. No person shall be nominated or accept appointment or be eligible to hold any office unless he is and has been a financial member of the Union for at least one year. Provided that, the offices of the National Secretary and the Treasurer may be filled by persons who are not members of the Union.
- e. No one person shall be nominated for more than one office, and where a person has signed his consent in the nomination form for more than one office his nomination shall be deemed to be void.
- f. Where no nomination is received for any office, such office shall be deemed to have become vacant after the election and the Executive Council shall have the power to fill such vacancy. On the instructions of the Executive Council, the National Secretary will send an expression of interest circular to unrepresented organization and 25% of members of the organization must sign in support of a member to be co-opted to the Executive Council. This process shall likewise apply in instances where a vacancy arises between elections as a result of increased membership from an organization.
- g. The power of the Executive Council stipulated in Rule 14 (f) above shall also apply where a position in the Executive Council is deemed to be vacant, during the term of that Executive Council.

15. EXECUTIVE COUNCIL

- a. The governance and administration of the Union and the conduct of its business in the periods between Annual General Meetings shall be vested in the Executive Council.
- b. The composition of the Executive Council shall be proportionally represented based on Union membership from financial institutions, Banks or other organizations within the industries served by the union and as prescribed on the schedule below:

Schedule

Members	Reps	Members	Reps
1 - 100	1	101 - 200	2
201 - 350	3	351 – 500	4

On Executive Council voting matters only, the following rules shall apply:

- i. Voting is thus done by representation ratio, 1 is to 50. (members /rep)
 - ii. One vote is to represent fifty members.
 - iii. small organization with less than 50 members will have combine to make 1 vote or will have its vote in decimal places.
- c. The officers thus elected, shall elect the following Office Bearers of the Union by secret ballot at a meeting specifically called for this purpose, in compliance with Rules 14 (d - f);
 - i. A National President
 - ii. 3 National Vice Presidents
 - iii. National Treasurer
 - iv. Assistant National Treasurer
 - v. Assistant National Secretary
- d. Subject to the above representations and positions of office bearers, the remainder of the officers shall constitute the members of the National Executive Council. This shall include the President of every branch of the Union, or, in the absence of a Branch President, the Vice President of that branch shall attend and serve as the branch's representative on the Council.
 - i. A branch President that has been transferred out of a Branch as a result of his employment shall immediately vacate his position as an Executive Council member and the position of President of that Branch. The Vice-President of the Branch will act in the position till the vacancy is filled.
 - ii. The vacant position of Branch President will then be filled according to procedures therein.
- e. The Executive Council shall meet at least quarterly. Not less than 50 per centum of the total number of members of the Executive Council shall form a quorum.

- f. Executive Council will be empowered to set Executive Council meeting dates. National Secretary on the instructions of the Executive Council will send out notices for Executive Council or Special meetings as and when required
- g. Executive Council members who fail to attend three consecutive Council meetings without the permission of the National President shall be dismissed from the Executive Council.
- h. Confirmation of attendance and apologies must be made in writing to the Secretariat with a copy to the National President.
- i. A by-election shall be held where an Executive Council position is vacant during the term of service; the following events will constitute a vacancy of an Executive Council Position;
 - i. The Death of an Executive Council member;
 - ii. The Resignation of an Executive Council member;
 - iii. The Dismissal of an Executive Council member between two annual general meetings;
 - iv. Absent from Fiji for a period of more than three months.
- j. The Executive Council shall pursue the objects of the Union and shall protect its funds against extravagance or misappropriation. The Council shall give all necessary instructions as to the investments of the funds of the Union to such employees of the Union as are responsible for such matters.
- k. The Executive Council shall give instructions to the National Secretary and all other employees of the Union in regard to the conduct of the affairs of the Union. The Executive Council shall appoint employees as it considers necessary on such terms as it considers desirable.
- l. The Executive Council will appoint the following sub committees to oversee and assist with the operations of the Union and prepare recommendations and reports for endorsement by Executive Council:
 - 1. Assets and Investments Committee
 - The Assets and Investments Committee shall be responsible for:
 - Managing and overseeing the Union's physical and financial assets;

- Making proposals to the Executive Council regarding investments aimed at securing the growth and safety of Union funds;
- Monitoring the proper use and maintenance of Union property, including making decisions concerning tenancy, contractor engagement, and related operational matters;
- Submitting periodic reports to the Executive Council on the status of assets and investment performance.

2. Events Committee

The Events Committee shall:

- Plan, organize, and coordinate Union events including but not limited to meetings, social gatherings, educational sessions, and member engagement campaigns;
- Manage event logistics such as venue booking, catering, invitations, and preparation of materials;
- Promote active member participation in all Union events;
- Administer and account for event-related budgets and expenditures;
- Evaluate event outcomes through member feedback and make recommendations for improvement to future events.

3. Administration and Policy Committee

The Administration and Policy Committee shall:

- Develop, review, and update policies and procedures relating to the operations of the Union Secretariat, including but not limited to performance monitoring, operational efficiency, and internal processes;
- Ensure effective administration and accurate record-keeping within the Union;
- Monitor and ensure compliance with the Constitution of the Union and applicable legal and regulatory frameworks;
- Advise the Executive Council on matters relating to governance, internal controls, and administrative structure;

- Provide guidance and support to other Committees on matters of policy and administration as required.

4. Benefits Committee

The Benefits Committee shall:

- Administer and oversee the Union's member benefit programs;
- Review and define eligibility criteria and levels of benefits;
- Provide guidance to Union employees and make recommendations to the Executive Council in the management of complex or disputed benefit claims;
- Propose enhancements to member benefit offerings;
- Engage with external service providers in the interests of expanding and improving member benefits.

5. Grievance and Disciplinary Committee

The Grievance and Disciplinary Committee shall:

- Receive, investigate, and assess grievances or complaints submitted by or concerning members, officers, office bearers, or employees of the Union;
- Conduct disciplinary proceedings as necessary, in accordance with the Constitution and established procedures;
- Ensure the fair, transparent, and consistent application of the Union's rules and disciplinary policies;
- Make formal recommendations to the Executive Council regarding the resolution of grievances or the imposition of disciplinary measures;
- Ensure the confidentiality of proceedings and safeguard the rights of all parties involved throughout the process.

6. Committee Requirements:

- Each Committee shall consist of **no fewer than three (3) and no more than four (4)** officers of the Union.

- Each Committee shall include **at least one (1) female officer and at least one (1) office bearer** of the Union.
- For the purposes of this provision, **a female office bearer shall be deemed to satisfy both the requirement for female representation and the requirement for office bearer inclusion.**
- Each sub-committee must appoint a chairman who will circulate reports to Executive Council two weeks prior to the Executive Council meetings.

The Executive Council may also establish additional Committees as necessary to effectively manage other matters in the interests of the Union's members.

- m. The National Secretary, in consultation with the Office Bearers, may suspend or dismiss any employee for neglect of duty, dishonesty, incompetence, refusal to carry out the decisions of the Executive Council, or for any other conduct contrary to the interests of the Union. Such action shall be carried out in accordance with the Union's grievance and disciplinary procedure and upon the recommendation of the Grievance and Disciplinary Committee.
- n. Any employee who is suspended or who is dismissed shall have the right of appeal to the Executive Council.
- o. Between Annual General Meetings the Executive Council shall, when necessary, interpret the Rules and determine any point which the Rules do not adequately cover.
- p. All officers and members of the Executive Council must be fully paid up with all subscriptions.
- q. The Executive Council shall have the power to open or close branches, subject to the approval of an Annual or Special General Meeting.

16. BRANCHES OF THE UNION

- a. The Annual or Special General Meeting shall determine the places at which branches shall be established. Only one branch may be established in any one place.
- b. A branch shall consist of twenty or more members and any branch in which the membership shall, for a period of six months or more, fall below ten (10) shall be disbanded and its members transferred to another branch.
- c. Each branch shall be governed by a Branch Committee consisting of a minimum of five (5) and maximum of seven (7) members.

The Committee shall include the following office bearers:

- i. Branch President
- ii. Branch Vice President
- iii. Branch Secretary
- iv. Branch Treasurer

In addition to these office bearers, the committee shall include between one (1) and three (3) additional members, so that the total number of Branch Committee members does not exceed seven.

- d. The Branch Committee shall meet not less than Four times a year.
 - i. Any such meeting must be held Three weeks after an Executive Council meeting.
 - ii. The minutes of such meeting must be sent to all Executive Council members Two weeks prior to the next Executive Council Meeting.
 - iii. The Branch President or, in his absence, the branch vice president, must present a report on Branch activities at the Executive Council meetings and their feedback on matters arising at the last Executive Council meeting.
- e. The Quorum for a meeting at the Branch Committee shall be Five Financial members.
- f. In the event that a Branch Committee office bearer position becomes vacant between elections, the vacancy may be filled by appointment from among the existing Branch Committee members by voting via show of hands.

However, if a non-office bearer committee member position becomes vacant, the position shall remain unfilled until the next scheduled elections, unless the vacancy causes the total number of Branch Committee members to fall below five (5). In such a case, the Branch President must consult with the National President and the National Secretary to call for nominations and initiate early elections to restore the minimum required number of committee members.

The following events will constitute a vacancy of a Branch Committee Position;

- i. The Death of Branch Committee member;
- ii. The Resignation of a Branch Committee member;

- iii. The Transfer of a Branch Committee member to another division;
 - iv. The Dismissal of a Branch Committee member between two annual general meetings;
 - v. Absent from Fiji for a period of more than three months.
- g. The Secret Ballots for the election of Branch Committee members will be held in the manner described in Rule 11 hereof with the provision that in so far as they may be applicable, the functions of the Executive Council and National Secretary set out there in shall be carried out by the branch Committee and the branch secretary respectively.
- h. Each Branch situated at a distance of not less than 30 miles from the place at which the Annual General meeting is to be held shall be represented by the Branch Office Bearers.
- i. The Branch President shall preside over all business meetings of the branch and shall sign all minutes. He shall have a casting vote. He shall supervise the working of the branch and its officers and shall have the right to inspect all branch papers and books. He may call for committee or special meeting of the branch or of the Branch Committee to be called as and when he considers it to be necessary with prior consultation with the Executive Council for valid reasons. He shall present a report and a finance report on Branch activities to the National Secretary, National Treasurer and National President.
- j. The Branch Secretary shall conduct the business of the Branch in accordance with the rules and constitution of the Union. He shall carry out the instructions of the Branch Committee. He shall attend all branch and Branch Committee meetings and keep records of such meetings and shall have all the rights of a voting member. He shall furnish names of all branch members, copies of all minutes and copies of all correspondence to the National Secretary for record purposes.
- k. The Branch Treasurer shall be responsible to keep accurate records of all monies sent by Secretariat for Branch activities. He shall present a report of such monies received and expenses incurred to the Branch President for reporting at the Executive Council of the Union and inclusion in the Annual Accounts of the Union for presentation at the Branch AGM and the Suva AGM. He shall have the right to speak and to vote on all matters except financial matters.
- l. Annual or Special General Meeting may suspend any Branch for refusal to carry out rules or decisions of an Annual or Special General Meeting or of the Executive Council.

17. OFFICE BEARERS OF THE UNION

The Office Bearers of the Union are the positions described in Rule 15 (c) (i - iv) and all Office Bearers are elected biennially.

a. Term in Office of Office Bearers

- i. The President of Union shall serve a term of Four (4) years and be eligible for re-election.
- ii. The 3 Vice Presidents shall serve a term of Four (4) years and be eligible for re-election.
- iii. The National Treasurer shall serve a term of Four (4) years and be eligible for re-election.
- iv. The Assistant National Treasurer shall serve a term of Four (4) years and be eligible for re-election.
- v. The Assistant National Secretary shall serve a term of Four (4) years and be eligible for re-election.
- vi. Office bearers and Executive Council members of the Union shall continue in office till the AGM or Special General Meeting scheduled for confirmation of new office bearers.
- vii. Any office bearer during this term wishes to contest for another office shall resign from his current position prior to nomination date.

b. Roles of Office Bearers

- i. The President shall preside over all Annual General Meetings, Special General Meetings, and Executive Council meetings.
- ii. The President shall support the proper conduct of business at these meetings, guide discussions to ensure meetings are conducted fairly, constructively, and in line with established procedures, and shall sign the minutes after they are approved.
- iii. With the support of the National Secretary, the National Treasurer and officers of the Executive Council, the President shall work to promote and encourage adherence to the Union's Constitution, rules, and regulations by all relevant parties.

- iv. He shall provide oversight and guidance in the implementation of Executive Council decisions.
- v. He shall assist in resolving internal disputes and promoting constructive dialogue.
- vi. He shall foster unity, cooperation, and solidarity among members and leadership.
- vii. He shall guide the Executive Council in monitoring progress and responding to emerging issues.
- viii. He shall support processes that ensure smooth transitions in leadership during elections or other changes.
- ix. Any Vice President/s shall, when appointed by the President or in his absence, the Executive Council, act in the President's capacity to fulfil any of the duties outlined in b (i-viii) above.
- x. The Assistant National Secretary shall assist or deputize for the National Secretary in his absence or as required by the Executive Council. When the National Secretary's contract ends and the role is vacant pending the nomination and election of a new National Secretary, the Assistant National Secretary shall assume the leadership and administrative duties of the National Secretary until a duly elected successor is appointed and takes office
- xi. The National Treasurer shall within his Tenure;
 - 1. Be responsible for the safety of all monies belonging to the Union and shall keep full and accurate accounts of all transactions conducted in the name of the Union.
 - 2. He shall prepare a financial statement for each meeting of the Executive Council and an annual statement of accounts for audit and for presentation to the Annual General Meeting.
 - 3. He shall have the right to speak and to vote on all matters except financial matters.
 - 4. On the request being made to him at the Annual General Meeting, or thereafter within one month of the receipt of such request, he shall give to every voting member of the Union free of charge a general

statement of account all the receipts and expenditure of the Union.

5. He shall in conjunction with any other authorized signatory as approved by the Executive Council sign cheques on behalf of the Union.
 6. He shall deposit in the Bank appointed by the Executive Council all sums over \$6.00, retaining the remainder in a safe place.
 7. He will not move or second any motion related to Finance Matters.
 8. The Assistant National Treasurer shall, when appointed by the National Treasurer or in his absence, the Executive Council, act in the National Treasurer's capacity to fulfil any of the duties outlined in b (xi) 1- 7 above
- xii. Any Officer Bearer whose duties call for time services on behalf of the Union may be paid a salary, such to be determined by the Executive Council.
- xiii. Any Office Bearer would be deemed to have resigned from his position on the following grounds;
1. The Death of an Office Bearer;
 2. The Resignation of an Office Bearer;
 3. The Dismissal of an Office Bearer between two annual general meetings;
 4. Absent from Fiji for a period of more than three months.
 5. When contesting another Officer bearer position.
- xiv. All Office Bearers must endeavour to secure the observance of the Union rules by all members and Executives

18. POSITION OF A NATIONAL SECRETARY

- a. The National Secretary shall be appointed by secret ballot in accordance with the provisions of the Trade Union Act and shall serve a term of four (4) years. The National Secretary shall be eligible for re-election.

In the event that the Act and/or national legislation governing trade union elections is amended to assign this responsibility to the Union, the National President, with the support of the Assistant National Secretary, shall advertise the position of National Secretary and, in accordance with the criteria and process prescribed in these rules, proceed to shortlist candidates and call for elections.

- b. He shall be elected by all voting members of the Union in a manner prescribed by the Executive Council and in accordance with the Employment Relations Act.
- c. Criteria for nominees for the position of National Secretary will be as follows:
 - i. He may not be a member of the Union;
 - ii. He shall possess strong leadership skills, proven administrative competence, and a sound understanding of governance principles;
 - iii. He shall have demonstrated strong negotiation skills and experience in mediation, particularly in employment relations, including effective stakeholder engagement;
 - iv. He shall have a solid working knowledge of all applicable labor legislation and subsidiary laws;
 - v. He shall possess sufficient and proven advocacy skills and relevant experience to represent the Union in trade dispute resolution processes;
 - vi. He shall have attained a sufficiently high standard of literacy to effectively perform his duties and shall hold, at a minimum, a Bachelor's degree from a recognized tertiary institution in any one of the following fields: Industrial Relations, Employment Relations, Human Resources, or Law (with an emphasis on employment law);
 - vii. He shall not have been convicted of any criminal offense, including but not limited to drug-related or fraudulent activities, prior to nomination;
 - viii. He shall not be an undischarged bankrupt or subject to a receiving order;
 - ix. If previously appointed to this position, he must not have committed any breach of the Union's Constitution, policies, or procedures during his prior tenure;
 - x. Any nominee who previously held this position and is determined by the Executive Council to have acted against the best interests of the Union and/or any group of its members shall be deemed ineligible for nomination;
 - xi. Subject to fulfilling all preceding criteria (Rule 18 c i-x), the aspiring nominee shall also attend an interview conducted by a

panel appointed by the Executive Council, achieve the minimum required assessment results as determined by the panel, and formally accept the terms and conditions of the position as set by the Executive Council in order to be considered a valid nominee for election to the position.

d. i. In the absence of such nominee(s) the Executive Council shall be empowered to re-advertise the position.

ii. If after re-advertisement Executive Council is unable to find a suitable candidate, they will be empowered to accept nomination(s) suitable in the circumstances from applicants who meet the minimum qualifying requirements of at least having some qualifications in Industrial Relations, Administration and Human Resources and at least 4 years of demonstrated people leadership experience.

iii. Duties of the National Secretary will be:

1. The National Secretary shall conduct himself in accordance with the Union's Constitution, rules, and standards, and shall sign a contract prepared by the Executive Council outlining the terms and conditions of employment, including the Code of Conduct and Secrecy Clause. These terms may be varied by the Executive Council as required.
2. Conduct the business of the Union in accordance with the Constitution and carry out all directives from the Annual or Special General Meeting, the Executive Council, and the office bearers in between Executive Council meetings.
3. Report to the Executive Council through the National President on operational matters and through the National Treasurer on financial matters.
4. Oversee the day-to-day operations of the Union Secretariat and ensure timely and accurate reporting by all employees, including himself, to the office bearers and the Executive Council.
5. Maintain an up-to-date register of all members, including their full names, contact details, and locations. The register must be accurate, securely stored, and readily accessible for official Union purposes in accordance with applicable data protection and privacy standards.
6. Attend all meetings of the Executive Council and record minutes in compliance with the Trade Union Ordinance or as otherwise required.

7. Shall only engage in correspondence, discussions or meetings with human resources or management teams of member organizations in the presence of the respective organization's executive council officers unless prior consent is received from all executive council officers of subject organization.
8. Have the right to speak at meetings but not to vote.
9. Unfailingly adhere to the Union's Code of Conduct and all policies, processes, and procedures.
10. Perform all responsibilities as outlined in his official job description.

19. CONDUCT OF NATIONAL SECRETARY'S ELECTION

The President with the assistance of the ANS shall call for nominations and organize the conduct of ballots as prescribed by the Executive Council.

20. USE OF UNION FUNDS

- a. This Part contains rules and procedures of the usage of Union funds for official purposes. These provisions shall include any or all internal policies regarding the usage of Union funds.
- b. The funds of the Union shall be used solely for:
 - i. The payment of salaries, allowances and expenses of officers and employees of the Union;
 - ii. the payment of expenses for the administration of the Union, including audit of the accounts of the funds of the Union.
 - iii. the prosecution or defence of any legal proceedings to which the Union or any member is a party; when such prosecution for defence is undertaken for the purpose of securing or protecting any rights arising out of the relations of any member with his employer:
 - iv. the conduct of trade disputes on behalf of the Union or any members:
 - v. allowance to members or their dependents on accounts of death
 - vi. the payment of subscriptions, fees and contributions, necessary for affiliation to any trade Union Federation or other lawful Trade Union Organization in Fiji;

- vii. expenses incurred on Union business by officers and members of the Union in line with the finance policy;
 - viii. the construction of any building or the purchase or lease of any building or land required for the purpose of the Union and for the rent, upkeep and furnishing thereof;
 - ix. contributions to any charitable, educational or cultural institution or society approved by the Registrar of Trade Unions;
 - x. the educational cultural and vocational training of members as approved by the Registrar and any incidental expenses thereof;
 - xi. the organization of any theatrical, performance, concert, reception, dance sports meeting or excursion for the benefit of members;
 - xii. the purchase of books, newspapers and other literature and the upkeep of a library for the use of members
 - xiii. the editing, printing, publication and circulation of any book, newspaper or other periodical, bulletin, pamphlet or other printed literature for the advancement of the lawful objects of the Union or the promotion of the interests of its members as such;
 - xiv. the provision of social and welfare amenities for its members;
 - xv. any other object which by notification in the Gazette the Minister may, on the application of any trade union, declare to be an object for which such funds may be expended, such expenditure to be subject to such conditions as the Minister may be same or any subsequent notification direct.
- c. The Executive Council shall have the power to make internal policies to ensure good practice in applying the rules provided in Rule 20.
 - d. The Executive Council shall exercise its discretion in investing Union funds in Government Securities or any other securities as it sees fit.
 - e. The financial year of the Union shall commence on the 1st day of January of each year and terminate at the 31st of December the same year.

21. ASSETS OF THE UNION

- a. All properties and assets of the Union shall be in the name of FIJI BANK & FINANCE SECTOR EMPLOYEES UNION" or as decided by the Executive Council.

- b. All industrial agreements, deeds, documents of title, securities for money, mortgage or other instruments shall be executed under the common seal of the Union and such documents shall be deemed to have been duly executed if signed by the President and the National Secretary or such other persons as the Council may appoint to act on their behalf.
- c. The funds and properties of the Union shall at all times be vested in the Executive Council.
- d. The Executive Council shall have the power to borrow money to make loans or grants, to mortgage properties, to enter into guarantees and covenants and to grant or accept securities on such terms and conditions, as it deems fit.
- e. There shall be a Common Seal of the Union which shall contain the words - "FIJI BANK & FINANCE SECTOR EMPLOYEES UNION-COMMON SEAL"
- f. The Common Seal of the Union shall be in the custody of the National Secretary and shall be affixed to documents by direction of the Executive Council and shall in every case be attested by President and National Secretary of the Union.

22. ESTABLISHMENT OF A PROVIDENT FUND OR PENSION FUND SCHEME

In the event of the Union establishing a contributory provident fund scheme or pensions fund scheme;

- a. all money received or paid by the Union in respect of such scheme shall be accounted for in a separate fund;
- b. this will be administered in accordance with rules enacted for the purpose and which shall be approved by the Annual or Special General Meeting.

23. LEVIES

- a. The Executive Council may recommend that a levy be imposed upon all members of the Union provided that such levy shall not be imposed unless agreed to by a secret ballot held at the Annual or Special General Meeting.
- b. If any member fails to pay a levy imposed in pursuance of above rule within 3 months of its imposition, such member shall be regarded as being in arrears of subscription and shall cease to be entitled to any of the rights and privileges of a voting member.

24. AUDITORS

- a. One or more auditors, who shall not be members of the Union shall be appointed or elected at the Annual or Special General Meetings.
- b. The National Treasurer shall;
 - i. cause all the accounts of the Union to be audited as soon as possible after the close of each financial year and at all other times when required by the Union or by law.
 - ii. Ensure that all books and accounts of the Union will be examined and a certification as to their corrections or otherwise be given by the auditor.
 - iii. Ensure that a report by the auditor will be made available to the members of the Annual General Meeting.
- c. A copy of the auditor's report of Union funds shall be conspicuously placed at the office of the Union where it may be conveniently examined by any member.
- d. Any voting member will be allowed at any reasonable time to inspect the account books and the register of members. Applications to do so must be made to the National Secretary and National Treasurer in writing.

25. TRADE DISPUTES

In the event of any trade dispute arising between members and their employers, the members concerned shall;

- a. make the same known to the Branch Secretary of their branch or where applicable;
- b. who, then, shall immediately report the issue in dispute to the National Secretary;
- c. National Secretary to call meeting of Executive Council representatives of the respective employer to deliberate and advise what action shall be taken to deal with the matter
- d) If the event the dispute is not resolved after actions arising from (c) then the National Secretary shall call for a meeting of the Executive Council for deliberation

26. DISSOLUTION

- a. The Union shall not be dissolved, except with the consent of two thirds or more of the total voting membership of the Union obtained by means of a secret ballot held at the Annual or Special General Meeting.
- b. In the event of the Union being dissolved;

- i. all debts and liabilities legally incurred on behalf of the Union shall be fully discharged, or;
 - ii. the remaining funds together with the proceeds of the sale of any assets of the Union (excluding any provident or welfare fund which may have been established) shall be divided amongst all voting members in equal proportion, and;
 - iii. Otherwise disposed of in accordance with a resolution passed at the meeting at which the dissolution was approved.
 - c. When the Union is dissolved, notices of the dissolution signed by the National Secretary and seven voting members shall be sent by the National Secretary to the Registrar of Trade Unions within fourteen days of the date of the meeting on which the dissolution was agreed to.

27. AMALGAMATION

The Union shall not amalgamate with any other union or Association unless:

- a. a secret ballot on the proposed amalgamation is conducted in accordance with the Trade Unions Act;
- b. at least half the votes of voting members in the Union are cast and recorded;
- c. of such votes cast and recorded those in favor of the amalgamation exceed by one-fifth or more than the votes against the amalgamation.

28. PRESS & PUBLICITY

No meeting of the Union shall be open to the press without the approval of the Executive Council and no report or account of matters dealt with at any meeting of the Union or otherwise shall be supplied to the press or public except with the approval of the Executive Council.

Confirmed and signed by:


.....
LEAH WICKHAM
National President


.....
VISHWA DEO
National Secretary

