

Service Union United PAM

## **UNION RULES**

**Adopted 17.5.2022**

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## Section 1 Name and domicile

1. The Union's name is Service Union United PAM (Finnish: Palvelualojen ammattiliitto PAM ry; Swedish: Servicefacket PAM rf). In these Rules, it is referred to as the Union and the Union's branches are referred to as branches.
2. The Union's registered domicile is the City of Helsinki and its area of operation is the whole of Finland.
3. The Union's languages are Finnish and Swedish. The language of minutes is Finnish.

## Section 2 Purpose and functions

1. The Union's purpose is to improve the economic, social and legal status and quality of life of employees, students, self-employed persons, entrepreneurs and unemployed persons in the service and related sectors.
2. In order to fulfil its purpose, the Union
  - a. supports the branches and their members in improving the terms of their employment, pay and livelihoods and improving their working environment and in implementing cooperation within companies as well as in complying with existing legislation and improving regional influence
  - b. concludes collective and other agreements and monitors compliance with these
  - c. promotes membership of the branches among workers, salaried employees, self-employed persons, single entrepreneurs and students
  - d. influences policy-making in society both nationally and internationally in matters relating to members' working and living conditions, status and right of action
  - e. promotes knowledge of working life and social awareness, solidarity and professional skills
  - f. promotes cooperation within the employees' movement by belonging to a trade union confederation
  - g. cooperates with organisations in Finland and other countries that support the Union's objectives and policies and may support their activities financially
  - h. may belong to international organisations and engage in international cooperation and solidarity activities for the defence and promotion of human rights and fundamental labour rights
  - i. organises study, research, communication, information and publication activities
  - j. organises and supports holiday and recreational activities for members
  - k. promotes employment of its members.
3. The Union may manage and own immovable and movable property and establish funds and foundations. To support its activities, the Union may receive grants, donations and bequests and

organise raffles and fund-raising. The Union may engage in business activities directly related to the realisation of its purpose.

4. The Union is non-party-affiliated.

### Section 3 Members

1. Membership of the Union is open to registered branches formed by workers, salaried employees and supervisors as well as self-employed persons and entrepreneurs in the service and closely related sectors and in specialised sectors, and to registered associations formed by member branches.
2. Registered associations of member branches are referred to hereinafter in these Rules as community members.
3. Branch model rules shall be approved by the Council.

### Joining

4. Upon joining, a branch undertakes to comply with these Rules and with the decisions of the Union Congress, the Council and the Executive Committee.
5. Prior approval must be obtained from the Executive Committee for the establishment of a branch in a locality where a Union branch already operates.
6. Membership of a branch or a community member starts from the date when the Executive Committee has approved its membership.

### Resignation, expulsion and dissolution

7. If a branch wishes to resign from the Union, it must notify the Union in accordance with the Associations Act. Minutes of the meetings at which the matter was decided must be appended to the notification. The branch's membership ceases six (6) months after the last day of the first June or December following the notification.
8. The matter of the branch's resignation must be considered at two branch meetings at least two (2) weeks apart. The proposal for the branch to resign shall lapse unless it is supported at the meetings by at least 3/4 of the branch members present and entitled to vote.
9. A branch or community member may be expelled from the Union if it
  - a. acts contrary to the purpose of the Union
  - b. does not comply with the Rules and the decisions of the Union Congress, the Council or the Executive Committee
  - c. does not expel from its membership a member who acts contrary to the Rules of the branch or the Union or the decisions of the Union Congress, the Council or the Executive Committee.

10. The expulsion of a branch or a community member shall be decided by the Executive Committee. The branch or community member must be consulted before the decision to expel is considered. The branch or community member may appeal the decision to the Council. The appeal must be submitted in writing to the Executive Committee within one month of the date on which the branch or community member receives written notification of its expulsion.
11. A branch that resigns or is expelled loses all its rights in the Union. The branch shall not recover any fees paid to the Union and shall have no right to the Union's funds or other assets. Unless otherwise agreed, the Union is not liable for the debts of a branch that resigns or is expelled.
12. If a branch is dissolved, its remaining assets shall, by decision of the dissolving meeting, be transferred either to another Union branch or to the Union for use in furthering the purposes of the trade union movement. Unless otherwise agreed, the Union shall not be liable for any debts owed by the branch at the time of its dissolution or winding-up. The decision to dissolve a branch may be taken by a  $\frac{3}{4}$  majority vote of the branch meeting.

### Other provisions

13. Members of the Union's branches who retire on an old-age pension or full disability pension may continue their membership as pensioner members of the branch. Persons studying at education institutions in the sector may join as branch student members.
14. The Union maintains a list of members of the branches in accordance with the Associations Act. When a branch joins the Union, it must provide the personal data of all its members requested by the Executive Committee. The branch has the right to access the information on its members contained in the register maintained by the Union.
15. An auditor appointed by the Union's Executive Committee may at any time audit the branch's administration and accounts.

### Section 4 Membership fees

1. Branch members must pay membership fees on their taxable wage income and on taxable unemployment fund benefits.
2. Self-employed and entrepreneur members pay their membership fees based on the earnings on which their pension insurance contributions are based, except for the period during which they retain membership of PAM Unemployment Fund. Then their contributions are determined based on their last wage income subject to withholding tax.
3. Pensioner and student members of branches are not charged membership fees.
4. The Council decides the amount of membership fees annually.
5. The Council may decide to charge branch members an additional membership fee of up to six months' membership fees.

6. A branch member is exempt from membership fees if he/she
  - a. has no taxable wage income or taxable unemployment fund benefits
  - b. is a member of a trade union while abroad and pays membership fees to that union.

A member who is exempted from paying membership fees shall immediately inform the Union of the reason for the exemption and the estimated duration.

7. Of the membership fees paid to the Union, with the exception of additional membership fees, a basic and incentive component decided annually by the Council is returned to the branch.
8. In order to obtain reimbursement of the basic component of the branch members' membership fees, branches shall submit to the Union, by the end of May each year, their activity and financial reports for the previous year of operations, and a declaration of their staff.

The criteria for reimbursement of the incentive component of the membership fee are decided by the Council's autumn meeting.

9. The Executive Committee shall consult the branch if it decides not to refund the basic and/or incentive component of the membership fee.
10. The detailed instructions for the collection of membership fees, exemption from membership fees, transfers and payment of the branch component are provided by the Executive Committee.

## Section 5 Union Congress

1. The ordinary Union Congress shall be held every fourth calendar year by the end of October.
2. Written notice of the ordinary Union Congress shall be sent to branches and community members no later than ninety (90) days before the congress.

The final invitation to the Union Congress shall be sent in writing to the congress representatives and for information to branches and community members no later than 21 (twenty-one) days before the meeting.

The Executive Committee may issue more detailed regulations on registration for the congress.

3. The following matters shall be discussed at the Congress:
  - a. the Priority Action Programme for the election period shall be decided on
  - b. the chair of the Council and the 1st vice-chair and 2nd vice-chair shall be elected
  - c. in addition to these, sixty (60) regular members of the Council shall be elected, as well as two (2) personal deputy members for each, and ten (10) general deputy members
  - d. the chair of the Executive Committee, who shall be called the President of the Union, shall be elected. The chair is full-time

- e. in addition, fifteen (15) regular members of the Executive Committee, three (3) general deputy members and a personal deputy of the chair of the Executive Committee are elected
  - f. matters submitted by the Executive Committee, branches and community members are discussed
  - g. an audit firm is elected to conduct the audit, and it must appoint a responsible person and a deputy for him/her to conduct the audit
  - h. decision on the remuneration of the Council, the Executive Committee and its expert bodies.
4. Congress representatives shall be reimbursed for travel expenses and daily allowances in accordance with the Union's travel regulations.
  5. The right to submit motions at the Union Congress lies with the branches, community members and the Executive Committee. Motions must be submitted to the Executive Committee at least two (2) months before the congress.
  6. Each congress representative has one (1) vote. Matters shall be decided by a simple majority of the votes cast, unless otherwise provided in these rules. In the event of a tie, the vote of the chair of the meeting shall be decisive. Elections shall be decided by an absolute majority of those participating in the vote. In the event of a tie, the election shall be decided by lot.
  7. In addition to the congress representatives, the members of the Executive Committee and the auditors have the right to propose at the Union Congress. The union officials invited to the meeting have the right to be present and speak at the meeting.
  8. An extraordinary congress shall be held when the Congress so decides or the Executive Committee or Council deems it necessary, or when at least 1/3 of the members entitled to vote in the union or as many branches that their number of personal members accounts for at least three-quarters (3/4) of the number of personal members of all union branches request it in writing from the Executive Committee for handling the matter they have notified.  
  
A written notice of an extraordinary congress meeting shall be sent to the council representatives and for information to the branches and community members no later than fourteen (14) days before the meeting.
  9. Council representatives shall be elected by a general vote among the personal members of member branches in each electoral district, and secret proportional elections are held in the manner referred to in Section 29, Paragraph 3, Paragraph 2 of the Associations Act.
  10. The electoral districts are the provinces according to the official provincial division in force at any given time. However, the national branches form one common electoral district.
  11. Congress representatives shall be elected in such a way that one (1) representative is elected for every six hundred (600) members from each electoral district based on the total number of branch members in the electoral district.

Candidates from each electoral district who were not elected as regular congress representatives are substitutes, in the order of their number of votes either from their own candidate list or from their own electoral alliance.

12. Each community member has the right to send one (1) representative to the Union Congress. The representative has the right to speak and be present at the meeting.

### **Right to vote and eligibility for election**

13. Members who have retired or are on full disability pension as well as student members are not eligible to vote.
14. Members who have retired or are on full disability pension as well as student members or trade union officials employed by the union or union branches are not eligible for election.

### **Electoral body**

15. The Executive Committee is the central election committee.

### **More detailed election instructions**

16. More detailed regulations regarding the nomination of candidates and other procedures for the election are given in the electoral regulations confirmed by the Council and in the instructions of the Executive Committee.

### **Extraordinary Congress**

17. The congress representatives of the previous ordinary Congress shall serve as representatives at the extraordinary Congress.

## **Section 6 Council**

1. The council exercises decision-making power in matters that are not, under these rules or by law, subject to decision by the Congress, or the Executive Committee. In addition to what is stated elsewhere in these rules, the Council shall
  - a. elect the President of the Union (chair of the Executive Committee), other regular members and general deputy members of the Executive Committee, and the personal deputy member of the chair of the Executive Committee until the next ordinary Congress, if the term of office of any of them has expired or if any of them has resigned or been dismissed from office during the term of office
  - b. dismiss the Executive Committee due to a lack of confidence in the manner specified in these rules
  - c. elect the chair and vice-chair of the Council from among its members until the next ordinary Congress is held, if the term of office of any of them has expired or if any of them has resigned from office during the term of office
  - d. elect the auditing firm until the next ordinary Congress is held, if the auditing firm has resigned from office during the term of office or is unable to perform its duties in the manner required by the Auditing Act
  - e. decide on the trade union confederation



- f. decide on amendments to the rules
  - g. confirm the electoral regulation
  - h. decide on motions submitted to the Council
  - i. decide on other matters submitted by the Executive Committee.
2. The term of office of the Council is the same as the Congress period and it ends when a new Council has been elected at the Congress.
  3. The Council consists of the chair, the 1st vice-chair and the 2nd vice-chair, and in addition to them, sixty (60) ordinary members. Each ordinary member has two (2) personal deputy members. There are also ten (10) general deputy members who are present at the Council meetings. A general deputy member replaces an ordinary member if the ordinary member and any of the personal deputy members are unable to attend the meeting.
  4. When electing the Council, occupational and regional equality must also be taken into account. The Council must also reflect the diversity of the members.
  5. If an ordinary member of the Council is unable to attend the meeting, he or she shall be replaced by a deputy member.
  6. If a Council member retires on an old-age pension or full disability pension, is dismissed from the union branch or resigns from the union branch without joining another union's branch, the membership in the Council shall terminate immediately. If a Council member leaves the union's area of organizing other than temporarily or fails to attend two consecutive meetings without an acceptable reason, he or she shall resign from the Council. The resigned member shall be replaced by his or her personal deputy member.
  7. If an ordinary member of the Council is elected to the Executive Committee, he or she shall resign from the Council and be replaced by a deputy member.

### Council meetings

8. The council shall have a quorum when the chair or one of the vice-chairs and a majority of the members are present at the meeting.
9. The union branches, community members and Council members shall have the right to submit motions at Council meetings. Eligible individual members of the union branches shall also have the right to submit motions as referred to in Section 5, Section 13, always fifty (50) individual members together in accordance with the more detailed formal regulations issued by the Executive Committee. Motions shall be submitted to the Executive Committee no later than two (2) months before the Council meeting.
10. At the Council meeting, each council member shall have one (1) vote. Matters shall be decided by a simple majority of the votes participating in the vote, unless otherwise provided in these rules. In the event of a tie, the vote of the chair of the meeting shall be decisive. Elections shall be decided

by an absolute majority of the votes participating in the vote. In the event of a tie, the election shall be decided by lot.

11. In addition to the council members, members of the Executive Committee and auditors have the right to present matters to be discussed at the Council meeting. The union officials invited to the meeting have the right to be present and speak at the meeting.
12. The Executive Committee may decide throughout the Council's term of office on the grounds that entitle to participate in a Council meeting via a telecommunications link or other technical means.

By a decision of the Executive Committee concerning an individual Council meeting, it is possible to participate in a Council meeting via a telecommunications link or other technical means. This must be mentioned in the notice of the meeting.

### Ordinary meetings

13. The Council shall hold two ordinary meetings each year. The spring meeting shall be held in May-June and the autumn meeting in November-December.
14. Prior written notification of the ordinary meeting of the Council shall be sent to union branches, community members and members of the Council no later than ninety (90) days before the meeting. The final notice of the ordinary meeting of the Council shall be sent as a written notice of meeting to the members of the Council and for information to union branches and community members no later than twenty-one (21) days before the meeting.
15. The following matters shall be discussed at the spring meeting:
  - a. the achievement of the objectives set for the previous year and their economic rationality shall be assessed
  - b. the annual report and audit report for the previous year shall be discussed and the financial statements shall be adopted
  - c. decision on discharging the Executive Committee from liability for the accounts
  - d. decision on the operational and financial guidelines for the following year as a basis for preparing the action plan and budget.
16. The following matters shall be discussed at the autumn meeting:
  - a. decision on the amount of the membership fee
  - b. decision on the amount of the membership fee refund for union branches and the basis for the incentive component
  - c. decision on the action plan presented by the Executive Committee
  - d. decision on the budget presented by the Executive Committee
  - e. decision on the basis for the auditors' fees
17. The Executive Committee shall promptly inform the Council of any changes related to operations and finances that substantially deviate from those presented in the action plan and budget.

### Extraordinary meeting

18. An extraordinary meeting of the Council shall be held at the request of the Executive Committee or when a majority of the council members request it in writing for a specific matter.
19. An extraordinary meeting shall also be held if the Council, at its ordinary meeting, supports the dismissal of the Executive Committee by at least a  $\frac{3}{4}$  majority of votes due to a lack of confidence. In such a case, an extraordinary meeting shall be convened within three (3) months of the Council's ordinary meeting.
20. The matters specified in the notice of meeting shall be discussed at the extraordinary Council meeting.
21. A written notice of the extraordinary Council meeting shall be sent to council members and information to the union branches and community members no later than five (5) days before the meeting.

### Section 7 Executive Committee

1. The Executive Committee shall manage the Union's activities in accordance with the Associations Act, these rules and the decisions made at the Congress and by the Council.
2. The Executive Committee shall include a Chair, who shall be called the President of the Union. The Chair shall be a full-time member of the Executive Committee. In addition to the Chair, the Executive Committee shall include fifteen (15) other ordinary members and three (3) general deputy members as well as the personal deputy member of the Chair of the Executive Committee. The ordinary members and general deputy members of the Executive Committee shall, if possible, represent different occupational groups and regions.
3. The general deputy members shall be present at the Executive Committee meetings.
4. If the Chair is unable to attend, the meeting shall be chaired by the personal deputy member of the Chair.
5. The term of office of the Executive Committee shall be the same as the term of office of the Council and it shall end when a new Executive Committee has been elected at the Congress.
6. If a member of the Executive Committee retires on old-age pension or full disability pension, is dismissed from the union branch or resigns from the union branch without joining another union's branch, the board membership shall end immediately. If a member of the Executive Committee leaves the union's area of organizing other than temporarily or fails to attend two consecutive meetings without an acceptable reason, he or she shall resign from the Executive Committee.
7. The Council shall initiate the dismissal of the Executive Committee due to a lack of confidence if at least a  $\frac{3}{4}$  majority of votes support it at the ordinary meeting of the Council.

In such a case, the Executive Committee shall convene to an extraordinary Council meeting within three (3) months of the Council's ordinary meeting. The decision of the dismissal of the Executive Committee shall be made if at least a  $\frac{3}{4}$  majority of votes cast support it at the extraordinary Council meeting.

8. The Council shall elect a new member or new members to replace a resigned Executive Committee member or an Executive Committee member who is dismissed due to a lack of confidence for the remaining term of office.
9. The Executive Committee shall convene at the invitation of the President of the Union or, if (s)he is unable to attend, the personal deputy of the Chair, or if three Executive Committee members request it.
10. The Executive Committee shall have a quorum when the Chair or the personal deputy of the Chair and at least eight (8) other members are present.
11. The chair and the vice-chair of the Council have the right to be present and speak at the Executive Committee's meetings.
12. Matters shall be decided in the Executive Committee by a simple majority of the votes cast. In the event of a tie, a decision shall be taken by drawing lots and in other matters the vote of the chair of the meeting shall be decisive.
13. By a decision of the Executive Committee, a meeting can be held via a telecommunications link or other technical means.

### Functions of the Executive Committee

1. The Executive Committee shall
  - a. manage the operations of the Union
  - b. monitor that the operations of the Union and its branches are carried out in accordance with the laws and these rules, as well as the decisions made at the Congress, by the Council and the Executive Committee
  - c. manage the Union's finances in accordance with the financial regulations it has confirmed
  - d. decide on the money to be transferred to the funds annually
  - e. decide on the sale, exchange and mortgaging of the Union's assets
  - f. appoint the Union's management team
  - g. elect and dismiss the Union's Executive Director and decide on the Executive Director's terms of employment
  - h. decide on human resources, and hire and dismiss the Union's officials to the extent that it has not delegated the task to the management team
  - i. decide on agreements concerning the terms of employment of personnel

- j. prepare matters to be discussed at the Council meeting and convene the meetings
- k. conduct the Congress elections
- l. decide on the Union's joining and leaving organisations, with the exception of the trade union confederation.

## **Section 8 § Management Group**

1. The task of the Management Group under the Executive Committee is to handle operational matters and prepare matters to be decided by the Executive Committee, implement the Executive Committee's decisions and handle other matters assigned to it by the Executive Committee.
2. The Management Group consists of the President of the Union, the Executive Director and a maximum of four (4) other members, one of whom is the personal deputy member of the chair of the Executive Committee. The members of the Management Group are full-time.

## **Section 9 § Executive Director**

The Executive Director shall

- a. lead and develop the work of the Union
- b. prepare matters to be discussed at meetings of the Council, Executive Committee and Management Group
- c. act as secretary of the Executive Committee, and
- d. act in other matters in accordance with the decisions of the Union's Executive Committee and the chair of the Executive Committee.

## **Section 10 § Bodies assisting the Executive Committee**

1. The Executive Committee shall, if necessary, appoint committees, advisory boards and working groups to assist it.
2. The Executive Committee may appoint branch committees for different areas of agreement. The tasks of these committees are
  - a. to act as an expert body of the Executive Committee in their area of agreement, for example by discussing and preparing the advocacy work and organizational preparedness in their area of agreement
  - b. to discuss proposals, motions and negotiation results related to the area of agreement.

## **Section 11 Collective agreements and other contractual activities**

1. The union's collective bargaining and other contractual activities are managed by the Executive Committee.
2. Branches, community members, workplace meetings and council members may submit proposals to the union's Executive Committee to amend collective and other agreements.

3. The Executive Committee decides whether to extend or terminate collective or other agreements. New agreements are approved by the Executive Committee.
4. The Executive Committee may organise an advisory vote of the members concerned by an agreement being negotiated, if a result has been reached in the negotiations or if a labour dispute is about to arise. A decision to start industrial action can only be taken if at least 2/3 of those voting are in favour of industrial action.

An advisory vote by members may be carried out at separate voting sessions, by post and/or by telecommunication or other technical means.

5. The Executive Committee has the right to end industrial action if it considers it necessary.
6. Only declarations of industrial action issued by the Executive Committee shall be binding on branches, their members and community members. Any Agreement Sector Commission, branch or community member acting contrary to the provisions of this article or contrary to instructions issued by the Executive Committee shall not be entitled to strike pay or other support from the Union.
7. The Executive Committee decides whether to participate in industrial action organised by a central organisation.
8. The Executive Committee may delegate discussion and decision-making on matters relating to collective bargaining to the Council.

## Section 12 Strike pay

1. A branch member involved in a strike or lockout is paid strike pay in the following cases:
  - a. a strike decided by the Executive Committee
  - b. a lockout resulting from demands approved by the Executive Committee, where the branch has acted in accordance with these rules and the instructions issued by the Executive Committee,
  - c. if branch members have become involved in a strike or lockout as a result of another union's labour dispute.
2. The amount of strike pay and the criteria are decided by the Executive Committee on a case-by-case basis.

## Section 13 Signing for the Union

The President, Executive Director and other members of the management team sign for the Union alone. In addition, other officials designated by the Executive Committee may sign, always two together.

## **Section 14 Auditors and financial statements**

The Union's financial year is the calendar year. The financial statements must be ready to be presented to the auditors by the end of March. The auditors must submit their audit report to the Executive Committee by the end of April.

## **Section 15 Amending the Rules**

Amendments may be made to these rules at an ordinary meeting of the Council if at least 2/3 of the votes cast at the meeting are in favour of amending the Rules. Amendment of the Rules must be announced in the notice of the meeting.

## **Section 16 Dissolution of the Union**

The Union Congress may decide to dissolve the Union by a majority of at least 3/4 of the votes cast. If the Union ceases operations or is dissolved, its remaining assets shall be used for purposes to promote the trade union movement as decided by the dissolving meeting.

## **Section 17 Acquired membership rights**

Membership rights acquired under previous Rules are maintained.

## **Section 18 Entry into force**

These Rules enter into force when they are entered in the Finnish Register of Associations.

The provisions concerning the number of members of the Council (Section 5, 3.c as amended and Section 6, 3 as amended) and the composition of the Council (Section 6, 4 as amended) shall enter into force at the beginning of the next Congress period.

The provisions concerning the possibility of dismissal of the Executive Committee (Section 6, 1.a as amended, Section 6, 1.b, Section 6, 19, Section 7, 7 and Section 7, 8 as amended) shall enter into force at the beginning of the next Congress period.