



# Statutes

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## **Preamble**

In their professions, syndicom members provide our society with information and goods. It is only thanks to their work that public and private communication as well as exchange of goods are possible at all. They thus make an important contribution to public service: without a functioning exchange of information and goods, democracy is not possible.

syndicom considers itself as part of the Swiss and international trade union movement. syndicom is committed to an economy that serves the needs of people, protects the dignity of those who work, promotes social progress for all and is committed to preserving the necessities of life. syndicom fights all forms of injustice and discrimination.

syndicom fights for the interests and rights of employees, negotiates collective labour agreements, impacts on legislation and takes legal action. In order to achieve its goals, syndicom uses all non-violent means, including strike action.

## **I. Name, office and independence**

### **Art.1 Name**

Under the name

#### **Syndicom**

there is an association registered in the Swiss commercial register in accordance with Art. 60 ff ZGB.

### **Art. 2 Office**

The registered office of syndicom is in Bern.

### **Art. 3 Independence**

<sup>1</sup> syndicom is denominationally neutral and independent of political parties.

<sup>2</sup> syndicom may cooperate with political parties or other organisations to achieve its objectives.

<sup>3</sup> By joining syndicom, members remain free in their political and professional decisions and do not enter into any restrictive obligations. The journalistic and publishing independence of the media professionals are fully guaranteed at all times.

## **II. Organisational domain**

### **Art. 4 Organisational domain**

<sup>1</sup> syndicom is an organisation of employees in the communications and media industry in Switzerland and Liechtenstein. It is particularly active in the following areas:

- a. Book and publishing industry;
- b. Call centre;
- c. Facility Management;
- d. Air traffic control and air traffic;
- e. Graphic arts industry and packaging printing;
- f. Information technology
- g. Postal and financial services;
- h. CEP & Mail;
- i. Road Transport;
- j. Postal service;
- k. Press and electronic media;
- l. Telecommunications and telecommunication industry;
- m. Visual communication.

<sup>2</sup> syndicom is a member of the Swiss Federation of Trade Unions (SGB) and may be a member of national and international organisations.

## **III. Purpose, implementation**

### **Art. 5 Purpose**

<sup>1</sup> syndicom protects and promotes the social, material, political, professional, economic and cultural interests of all its members.

<sup>2</sup> In particular, syndicom stands for good working conditions, the rights of all members and employees as well as social security and prosperity. The realisation of the employees' right of co-determination and participation is a central concern.

<sup>3</sup> syndicom is committed to effective gender equality and full equality of opportunity, especially in the areas of work, pay, education, family and society.

<sup>4</sup> In its activities, syndicom represents in particular the values of solidarity, equality, freedom and democracy as well as sustainability and media freedom.

## **Art. 6 Implementation**

<sup>1</sup> syndicom is committed to steadily increasing the degree of organisation in its areas and to maintaining or concluding new collective agreements for the general improvement of working conditions.

<sup>2</sup> syndicom uses the following means in particular to achieve its objectives:

- a. Information and mobilisation of their members and union representatives;
- b. concluding collective agreements with employers and their associations;
- c. measures to promote gender equality;
- d. measures to implement equal opportunity;
- e. promotion of solidarity among members;
- f. providing advice, legal protection and other services to its members;
- g. promotion of training and qualification for its members;
- h. promotion of occupational safety and health protection at the workplace;
- i. cooperation with authorities, other national and international organisations;
- j. trade union and political representation of members;
- k. participation in commissions and technical committees;
- l. public relations and lobbying.

<sup>3</sup> To achieve these goals, syndicom uses the means of collective negotiating, solidarity support and joint struggle, including strikes.

## **IV. Membership**

### **Art. 7 Membership**

<sup>1</sup> Employees, trainees, freelancers and self-employed persons in the organisational area of syndicom can become members.

<sup>2</sup> Solidarity members are members who leave the organisational area of syndicom but want to continue belonging to the union. They have no voting and election rights in the organs of syndicom. Their rights and obligations are set out in regulations.

<sup>3</sup> Members belong to the section responsible for their place of work and the branch responsible for their professional group or employer. Exceptions shall be made by mutual agreement between the sections and branches at the request of the member. In cases of dispute, the Management shall decide.

<sup>4</sup> A membership card is sent to the member annually.

<sup>5</sup> Each member is entitled to one vote. They exercise this right in the organs of syndicom; the right to vote remains subject to the ballot in accordance with Art. 24 ff.

## **Art. 8 Admission**

<sup>1</sup> The admission of new members is based on a written declaration for admission or via the Internet.

<sup>2</sup> Admission may be refused without giving reasons. The person concerned must be informed in writing. Within 30 days of receipt of the negative decision, the person concerned may appeal to the Assembly of Delegates. The Assembly makes the final decision.

<sup>3</sup> Each new member receives the statutes of syndicom.

## **Art. 9 Transfer**

<sup>1</sup> If a member changes his/her place of work, the transfer to the new section takes place at the end of the next month. If the change is limited in time, or at the express request of the member, a section change can be waived.

<sup>2</sup> The transfer of members from other domestic and foreign employees' organisations is regulated by agreements between the associations.

<sup>3</sup> Persons who transfer to syndicom from trade unions affiliated to the SGB are credited the full number of years of membership in such unions.

## **Art. 10 Withdrawal**

<sup>1</sup> Active members may withdraw from syndicom as of the end of the month, subject to a notice period of six months.

<sup>2</sup> By way of exception, retiring members whose health is impaired or who are no longer able to manage their own business may leave syndicom at the end of a month subject to one month's notice.

<sup>3</sup> Notice of withdrawal must be given in writing to the central secretariat.

<sup>4</sup> A transfer to another SGB-affiliated trade union is possible at any time at the end of a month in the event of a corresponding change of sector.

<sup>5</sup> Group withdrawals of members (collective withdrawals) are not valid.

<sup>6</sup> Withdrawing members are liable to pay their contributions until the end of the notice period.

## **Art. 11 Exclusion**

<sup>1</sup> A member may be excluded for significant reasons, in particular if he or she

- a. seriously violates the articles of association, regulations or resolutions of syndicom;
- b. damages the reputation of syndicom by his/her conduct;
- c. causes serious financial damage to the union;
- d. fails to meet his/her obligation to pay contributions despite a reminder;
- e. acts as strike breaker.

<sup>2</sup> Exclusion is carried out by the Management at the request of the relevant section or branch.

<sup>3</sup> Under special circumstances, the Management may decide to exclude the person concerned on its own initiative. This applies in particular to:

- a. substantial contribution arrears or
- b. conduct that is damaging to the Association as a whole.

<sup>4</sup> Members whose exclusion is being considered must be given the opportunity to make an oral or written statement before the resolution is adopted.

<sup>5</sup> Within 30 days of receipt by the Assembly of Delegates, the member may contest the decision of the Management in writing and with reasons. As a rule, he/she may request to be heard in person by the Assembly of Delegates, which makes the final decision within the association.

<sup>6</sup> Sections or branches may also challenge the decision to exclude or not to exclude one of their members in writing and with reasons within 30 days of notification to the Assembly of Delegates. The Assembly of Delegates makes the final decision within the association.

<sup>7</sup> During the exclusion procedure, the rights and obligations of the member are suspended. The Management decides on exceptions.

## **Art. 12 Expiration of rights**

All rights and obligations from the membership expire with the resignation or exclusion. Arrears of financial obligations are to be settled within 30 days.

## **V. Contributions**

### **Art. 13 Membership contributions**

<sup>1</sup> In order to fulfil its trade union, statutory and regulatory duties, syndicom collects contributions from its members on the basis of Contribution Regulations approved by Congress, taking into account the different income levels of its members.

<sup>2</sup> The membership fee consists of:

- a. the contribution to the central funds;
- b. the contribution to the section funds.

<sup>3</sup> The membership fee for each member category is laid down in the Fee Regulations.

<sup>4</sup> syndicom may collect contributions or premiums from group insurances or similar institutions together with the member's contribution, provided there is a corresponding contractual agreement between the latter and the member.

<sup>5</sup> Membership fees are collected with the consent of the member by deduction from salary or pension. Otherwise the collection is made individually.

### **Art. 14 Extraordinary contributions**

<sup>1</sup> Members may be required to make an extraordinary contribution to finance extraordinary trade union activities or if the financial situation of the trade union makes this absolutely necessary. It may not exceed twice the monthly membership fee in accordance with the Funding Regulations.

<sup>2</sup> The decision on the levying of an extraordinary contribution shall be taken by the Congress or the Assembly of Delegates.

## **VI. Services**

### **Art. 15 Individual services**

<sup>1</sup> In addition to the collective representation of interests, syndicom ensures that its members receive individual services in the following areas in particular:

- a. legal advice and protection in professional matters as well as in questions and problems concerning social insurance and trade union activities;
- b. advice and support on occupational safety and health issues in the workplace;
- c. immediate assistance in acute emergencies;
- d. advice and support for unemployed members;
- e. trade union and vocational training;
- f. strike pay;
- g. benefits under any contracts with third parties, for example with a legal expenses insurance or other group insurances;
- h. branch-specific services.

<sup>2</sup> Further details are governed by the corresponding regulations.

<sup>3</sup> The sections are entitled to provide additional services for their members from their own resources, provided they do not compete with the services in accordance with Art. 15 paragraph 1. They shall list these services in the Section Regulations.

<sup>4</sup> Anyone who is in arrears with the payment of contributions despite a reminder loses all entitlements to syndicom's services.

<sup>5</sup> If a member resigns from syndicom within two years of receiving benefits in accordance with Art. 15 paragraph 1, the value of the benefits received may be reclaimed on a pro rata basis. Further details are set out in the corresponding regulations.

### **Art. 16 Social institutions and foundations**

<sup>1</sup> In order to provide the above-mentioned services, syndicom may itself or in cooperation with third parties operate social institutions, in particular in the form of foundations.

<sup>2</sup> If syndicom is the sole founder, the Management of syndicom shall form the Board of Trustees, insofar as this is legally permissible.

<sup>3</sup> Special regulations exist for social institutions and foundations, which must be notified to

the Central Committee.

<sup>4</sup> syndicom operates an unemployment insurance fund.

## **Art. 17 Publications**

<sup>1</sup> syndicom issues a printed publication (hereinafter referred to as the members' publication) in three regional language editions or participates in joint trade union publications, maintains a website for members and, in general, for employees in Switzerland and their affiliated organisations.

<sup>2</sup> The publishing responsibility for the members' publication lies with the Central Committee.

<sup>3</sup> The members' publication, the website, newsletters and special editions are used for internal and external communication and familiarise readers with internal and generally relevant trade union topics. They report on events in the branches, interest groups and sections as well as on decisions taken by trade union bodies.

<sup>4</sup> The members' publication and the syndicom website are official publication organs of syndicom.

<sup>5</sup> The editorial office is subject to an editorial staff regulation issued by the Central Committee.

<sup>6</sup> syndicom may issue further specialised and topic-specific publications and operate its own subpages within the syndicom website for the publication of its information.

<sup>7</sup> The sections may issue their own publications with their own funds.

## **VII. Contract policy and labour conflicts**

### **Art. 18 Collective Labour Agreements**

<sup>1</sup> syndicom advocates throughout its organisation the conclusion of collective labour

agreements (company, local, branch and country-wide agreements) and their declaration of general applicability. In this way, syndicom strives for good and progressive working conditions for all employees and opposes the desolidarisation and neoliberal aspirations in the economy.

<sup>2</sup> The conclusion, content, termination and renewal of collective labour agreements (CLA) and agreements with CLA character are decided by the relevant sectors, professional and operational groups in accordance with the regulations applicable to them. They are obliged to inform the business and sector management regularly about the negotiations and their outcome trend. The contracts should not violate the principles decided by the Central Committee.

<sup>3</sup> Collective labour agreements and agreements with CLA character must be ratified by the syndicom Central Committee.

<sup>4</sup> The Central Committee and the Management of syndicom are authorised to conclude agreements on the joint implementation of collective labour agreements according to Art. 357b of the Swiss Code of Obligations.

## **Art. 19 Collective labour conflicts**

<sup>1</sup> syndicom is committed to resolving conflicts in a spirit of social partnership and strives to reach consensual agreements with employers.

<sup>2</sup> If the social partnership solution fails, syndicom may engage in collective labour conflicts and take trade union action. The Central Committee shall issue regulations to this effect, setting out not only the responsibilities and procedures in such conflicts but also the rights and duties of the members concerned.

## **VIII. Structure and organisation**

### **0. Policy**

## **Art. 20 Organs of syndicom**

<sup>1</sup> The organs of syndicom are:

- a. Ballot;
- b. Congress;

- c. Assembly of Delegates;
- d. Central Committee;
- e. Branches and Sectors;
- f. Interest Groups;
- g. Sections;
- h. Management;
- i. Business Audit Committee;
- j. External auditors;
- k. Court of Arbitration.

<sup>2</sup> The Central Secretaries, the Regional Managers, the Regional Secretaries, the persons responsible for finance, human resources and communications, and the Management of syndicom may attend meetings of all statutory bodies in an advisory capacity if this is necessary for the fulfilment of their duties. The right to attend meetings of the Management, the Audit Committee and the external auditors is granted by formal invitation only.

<sup>3</sup> Each organ invited in accordance with the articles of association has a quorum unless a quorum is expressly foreseen for the adoption of resolutions.

<sup>4</sup> The details about the functioning of the organs shall be determined in the Organisational Regulations adopted by Congress or in further regulations adopted by the Central Committee.

## **Art. 21 Principles governing the structure of the bodies**

<sup>1</sup> The structure of the bodies and delegations should represent the structure of membership, particularly with regard to branches and language regions.

<sup>2</sup> A proportion of women must be ensured in delegations and in the executive bodies that corresponds at least to the proportion of women in the active membership of the relevant organisational unit.

<sup>3</sup> In delegations of more than five persons and in Section Committees, one seat must be reserved for interested young members.

## **Art. 22 Gender equality**

<sup>1</sup> Management and regional Management are responsible for improving the representation of women in the union and among political employees.

<sup>2</sup> Each year, the Management decides on concrete measures to increase the degree of unionisation among women and to improve equal opportunities at syndicom.

<sup>3</sup> The Management and the regional Managements must submit an annual written report to the Central Committee on the progress made in gender equality and the implementation of concrete measures in accordance with Art. 22 paragraph 2.

### **Art. 23 Principles for elections and voting**

<sup>1</sup> Unless expressly provided otherwise in these Articles of Association or the Regulations, elections and votes shall be held openly.

<sup>2</sup> For a secret vote, a corresponding motion of order must receive one third of the votes.

<sup>3</sup> All decisions are taken by a simple majority, unless a qualified majority is expressly provided for.

<sup>4</sup> The term of office for the members of the bodies elected by the Congress is four years. The term of office for substitute members lasts until the next ordinary congress.

### **A. Ballot**

#### **Art. 24 Holding a ballot**

<sup>1</sup> In a ballot, questions concerning the entire membership of syndicom are submitted for decision.

<sup>2</sup> A ballot must be held if:

- a. a referendum is called in accordance with Art. 25;
- b. an initiative is submitted in accordance with Art. 26;
- c. a survey of members is conducted in accordance with Art. 27.

<sup>3</sup> The Congress or the Assembly of Delegates may declare a decision to be urgent and thus withdraw it from the referendum if two-thirds of the voters so decide.

<sup>4</sup> Votes on collective labour agreements and industrial action shall be decided by the

members of the relevant branches and shall be governed by their regulations.

### **Art. 25 Referendum**

<sup>1</sup> Subject to Art. 24 paragraph 3, a resolution of the Congress or the Assembly of Delegates may be submitted to a referendum by the entire membership.

<sup>2</sup> For a referendum to take place, it requires at least:

- a. the signature of 15 percent of the members or
- b. the support of one third of the sections.

<sup>3</sup> The referendum must be submitted to the Management of syndicom within 8 weeks of publication of the corresponding resolution in the printed publication or on the website.

### **Art. 26 Right of initiative**

<sup>1</sup> With an initiative, a general proposal may be submitted to the membership.

<sup>2</sup> For an initiative to come into being, it requires at least:

- a. the signature of 10 percent of the members or
- b. the support of one third of the sections.

<sup>3</sup> The initiative must be launched within 12 weeks of its publication in the members' publication or on the website and must be submitted to the Management of syndicom.

### **Art. 27 Member survey**

<sup>1</sup> The branches may conduct surveys of members in accordance with Art. 25 and 26.

<sup>2</sup> The Sector and Branch Management are responsible for their implementation.

## **B. Congress**

### **Art. 28 Competencies**

<sup>1</sup> The Congress is the supreme body of syndicom. Ordinary congresses are held every four

years. Extraordinary congresses may be convened in accordance with the Organisational Regulations.

<sup>2</sup> The Congress determines the objectives and principles of syndicom's policy. Within the scope of these competencies, it is assigned the following tasks in particular:

- a. resolution on the syndicom guiding principles;
- b. adoption of the legislative programmes and other policy documents;
- c. approval of the annual financial statements including the report of the external auditors;
- d. approval of the budget;
- e. approval of the financial plan;
- f. determination of the number of branches, sectors and interest groups as well as of their organisational priorities;
- g. determination of the membership fees and adoption of the Financial Regulations;
- h. election and dismissal of the Union Presidium;
- i. election and dismissal of the Management;
- j. election and dismissal of the Central Committee based on the election proposals of the branches, interest groups and sections;
- k. election of the Audit Committee;
- l. election of the external auditors;
- m. election of the Court of Arbitration;
- n. approval and amendment of the statutes;
- o. approval of the regulations falling within its area of responsibility;
  
- p. decision on joining or leaving other national and international organisations;
- q. approval of the activity reports;
- r. merger with other unions;
- s. decision on the applications received;
- t. dissolution of syndicom.

<sup>3</sup> The Congress may delegate individual tasks to another organ of syndicom, provided two-thirds of the delegates agree to a corresponding proposal. In doing so, the legally inalienable and non-transferable competencies of the Congress must be observed.

<sup>4</sup> Further details are laid down in the Organisational Regulations.

## **Art. 29 Structure**

<sup>1</sup> The structure of the Congress is representing the membership of syndicom.

<sup>2</sup> The Congress has a quorum if at least half of the delegates are present.

<sup>3</sup> The Congress consists of:

- a. the delegates of the sections;
- b. the Section Presidents or the section Contact Persons;
- c. the delegates of the branches;
- d. the delegates of the interest groups;
- e. the members of the Central Committee (without voting rights);
- f. the presidents of the special commissions (without voting rights);
- g. the Union Presidium and the members of the Management (without voting rights);
- h. the heads of the specialist departments (communications, finance, human resources) (without voting rights);
- i. the Central Secretaries and the Regional Secretaries (without voting rights);
- j. the members of the Audit Committee (without voting rights);
- k. the heads of regions (without voting rights).

<sup>4</sup> In addition to the delegate-s pursuant to paragraph 3 letter b, each section is entitled to one additional delegate per 1000 members or a fraction of at least 500 members (i.e., sections with less than 500 members have no additional delegates, with 500 to 1499 members one additional delegate, with 1500 to 2499 members 2 additional delegates, etc.).

<sup>5</sup> Every branch is entitled and obliged to be represented. Each branch has at least 3 delegates. In addition, each branch is entitled to one additional delegate per 300 members or a fraction of at least 150 members. Branches whose members are not divided into sections are entitled to one additional delegate per 1000 members or a fraction of at least 500 members.

<sup>6</sup> Each interest group is entitled to 4 delegates.

## **C. Assembly of Delegates**

### **Art. 30 Competencies**

<sup>1</sup> The Assembly of Delegates makes important strategic decisions for syndicom in the period between the congresses. It is held at least once a year. In the year of the Congress, the Assembly of Delegates may be dispensed with. Extraordinary delegates' meetings may be convened in accordance with the Organisational Regulations.

<sup>2</sup> Within the scope of these competencies, it is responsible in particular for the following tasks:

- a. decisions on the launching of own popular initiatives;
- b. handling of fundamental trade union issues;
- c. approval and amendment of the regulations falling within its competency;
- d. resolution on the admission of associations, as far as this does not require a change in the statutes;
- e. approval of activity reports;
- f. approval of the annual financial statements including the report of the external auditors, unless a congress decides otherwise;
- g. approval of the budget;
- h. ratification of Central Committee's resolutions concerning fundamental strategic issues of syndicom;
- i. in the event of a vacancy between two conventions, by-elections for the remainder of the term of office until the next regular convention to the Union Presidium, Management, Central Committee, Audit Committee and Arbitration Panel;
- j. election of the external auditors;
- k. decision on the collection of extraordinary membership fees;
- l. decision on the applications received.

<sup>3</sup> The Assembly of Delegates has the possibility of delegating individual tasks to another organ of syndicom, provided two-thirds of the delegates agree to a corresponding proposition. The legally irrevocable and non-transferable competencies of the Assembly of Delegates must be observed.

<sup>4</sup> Further details are specified in the Organisational Regulations.

## **Art. 31 Structure**

<sup>1</sup> The structure of the Assembly of Delegates shall represent the membership of syndicom.

<sup>2</sup> The Assembly of Delegates consists of:

- a. the delegates of the sections;
- b. the Section Presidents or the section Contact Persons;
- c. the delegates of the branches;
- d. the delegates of the interest groups;
- e. the members of the Central Committee (without voting rights);
- f. the presidents of the specialised commissions (without voting rights);
- g. the Union Presidium and the members of the Management (without voting rights);
- h. the heads of the specialist departments (communications, finance, human resources) (without voting rights);
- i. the Central Secretaries and the Regional Secretaries (without voting rights);
- j. the members of the Audit Committee (without voting rights);

k. the Regional Managers (without voting rights).

<sup>3</sup> In addition to the delegates in accordance with paragraph 2 letter b, each section is entitled to an additional delegate per 2000 members or a fraction of at least 1000 members (i.e., sections with less than 1000 members have no additional delegates, with 1000 to 2999 members one additional delegate, with 3000 to 4999 members 2 additional delegates, etc.).

<sup>4</sup> Every branch is entitled and obliged to be represented. Each branch has at least one delegate. In addition, each branch is entitled to one additional delegate per 600 members or a fraction of at least 300 members. Branches whose members are not divided into sections are entitled to one additional delegate per 2000 members or a fraction of at least 1000 members.

<sup>5</sup> Each interest group is entitled to 2 delegates.

#### **D. Central committee**

### **Art. 32 Competencies**

<sup>1</sup> The Central Committee is the syndicom executive board in the sense of the law governing associations. It is entitled to all competencies that are not expressly assigned to another body. The Central Committee convenes at least four times a year for an ordinary meeting and, if necessary, for additional extraordinary meetings.

<sup>2</sup> The Central Committee is the strategic management of syndicom. Within the scope of this competency, it shall have the following duties in particular:

- a. statements on current trade union and political issues, in particular support for popular initiatives and referendums as well as slogans for votes;
- b. setting up commissions, in particular for social policy/social security and health at the workplace;
- c. election of militiamen to the commissions on recommendation of the relevant commission;
- d. definition of the contractual policy guidelines and principles of the collective labour agreement policy of syndicom;
- e. coordination and monitoring of contract policy;
- f. ratification of collective labour agreements;
- g. development of strategies and measures, particularly in the areas of membership recruitment, training and qualification as well as services, in accordance with Art. 15 paragraph 1;
- h. political responsibility for publication of the members' magazine;
- i. clarification of differentiation issues for branches and sectors;

- j. definition of the number and locations (choice of cities and towns) of regional secretariats;
- k. approval of the founding, merging or dissolution of sections and the definition of section areas at the request of the sections or the Management;
- l. adoption of the terms and conditions of employment for syndicom staff;
- m. election or dismissal of Central Secretaries at the request of the Management;
- n. approval of the annual financial statements including the report of the external auditors for the attention of the Assembly of Delegates or the Congress;
- o. approval of the budget for the attention of the Assembly of Delegates or the Congress;
- p. approval of the employment plan;
- q. election of the delegates to the bodies of SGB (Swiss Confederation of Trade Unions) and nomination of the candidates for the SGB Board and the SGB Presidential Committee;
- r. election of delegates and nomination of candidates to other umbrella organisations;
- s. adoption of the regulations falling within its area of responsibility;
- t. decision on the applications received;
- u. election or dismissal of the persons responsible for the special departments (communication, finance, human resources) at the request of the Management;
- v. formation of technical committees.

<sup>3</sup> The Central Committee may delegate individual tasks to another organ of syndicom, provided two-thirds of the members agree to such a request. The legally inalienable and non-transferable competencies of the Central Committee must be observed.

<sup>4</sup> Further details are laid down in the Organisational Regulations.

### **Art. 33 Election and structure**

<sup>1</sup> The Central Committee consists of:

- a. the Trade Union Presidium;
- b. the delegates of the branches;
- c. the delegates of the interest groups;
- d. the other members of the Management (without voting rights).

<sup>2</sup> Each branch is entitled and obliged to be represented. Each branch has at least one delegate. Larger branches have the following right to be represented:

- a. 1,000–5,000 members:           2 seats;
- b. 5,000–10,000 members:       3 seats;

- c. 10,000–15,000 members: 4 seats;
- d. 15,000–20,000 members: 5 seats;
- e. over 20,000 members: 6 seats.

<sup>3</sup> The interest groups are entitled to the following numbers of delegates:

- a. retired persons and women: 2 delegates each;
- b. other interest groups: 1 delegate each.

<sup>4</sup> The sections in each Greater Region are entitled to one representative on the Central Committee.

<sup>5</sup> The persons responsible for the specialist departments (communications, finance and human resources) and the Central Secretaries may be consulted in an advisory capacity concerning individual businesses.

<sup>6</sup> Only members of the association may be elected as members of the Central Committee.

### **Art. 34 Representation**

The Union Presidium represents the Central Committee externally and internally.

## **E. Sector**

### **Art. 35 Sectoral classification**

<sup>1</sup> syndicom has the following sectors:

- a. logistics sector (postal and financial services, CEP & mail, infrastructure, road transport branches);
- b. ICT sector (telecom, IT, network infrastructure, contact and call centres, facility management, air travel branches);
- c. media sector (graphic industry and packaging printing, book and media trade, press and electronic media, visual communication).

### **Art. 36 Organisation**

<sup>1</sup> Each sector defines its organisation in regulations that must be submitted to the Central Committee for approval.

<sup>2</sup> The principles of sector organisation are set out in the Organisational Regulations for all sectors.

## **Art. 37 Competencies**

<sup>1</sup> The Sector coordinates the common interests of the branches allocated to it at national level.

- <sup>2</sup> Within the scope of these powers, the Sectors perform the following tasks in particular:
- a. election proposal for the management representation, which holds the sector leadership;
  - b. ensuring the flow of information between the individual branches and the Management;
  - c. coordination of the common interests of the branches towards the organs of syndicom as well as employers and authorities;
  - d. planning of human resources deployment together with the regional managers;
  - e. exercising the right of application to the other organs of syndicom.

<sup>3</sup> The details are set out in the Organisational and Sector Regulations.

## **F. Branches**

### **Art. 38 Branches classification**

<sup>1</sup> syndicom has the following branches:

- a. Postal and financial services;
- b. CEP & Mail;
- c. Infrastructure;
- d. Road transport;
- e. Telecom;
- f. IT;
- g. Network infrastructure (energy, telecom, transport, traffic and water technology);
- h. Contact and call centres;
- i. Facility Management;
- j. Air Traffic Control;
- k. Graphic industry and packaging printing;
- l. Book and media trade;
- m. Press and electronic media;
- n. Visual communication.

### **Art. 39 Organisation**

<sup>1</sup> Each branch defines its organisation in Industry Regulations that must be submitted to the Central Committee for approval.

## **Art. 40 Competencies**

<sup>1</sup> The Branch coordinates the specific interests of its members.

<sup>2</sup> Within the scope of these competencies, the branches shall in particular perform the following tasks:

- a. admission of new members who do not belong to a section;
- b. establishing the strategy for the branch;
- c. negotiation of collective labour agreements and similar agreements;
- d. organisation of the movement leadership, especially the recruitment of members, mobilisation and implementation of combat measures;
- e. comments on branch and job-specific initiatives;
- f. intervention with employers and their associations;
- g. information to members;
- h. organisation of company-related trade union work for the branches;
- i. establishment of a local network of union stewards and contacts;
- j. support of the operational commissions;
- k. promotion of branch-specific training and qualification;
- l. exercising the right of application to the other organs of syndicom;
- m. election of the branch delegates for the Congress and the Assembly of Delegates;
- n. nomination of the industry representative to the Central Committee.

<sup>3</sup> The details are set out in the Organisational and Branch Regulations.

## **G. Interest groups**

### **Art. 41 Principle**

<sup>1</sup> With its interest groups, syndicom aims to contribute to improving the economic, political and social situation of specific categories of members. The interest groups are responsible for the cross-sector representation of important member groups. They give syndicom an additional trade union policy profile and represent a further opportunity for members to be active within syndicom.

<sup>2</sup> syndicom organises the following interest groups:

- a. women;
- b. youth;
- c. retirees;
- d. migrants;
- e. freelancers.

<sup>3</sup> syndicom provides financial resources to interest groups, in particular for:

- a. the representation of interest groups internally and externally;
- b. the organisation of conferences, meetings and conventions;
- c. projects and campaigns;
- d. regional development projects.

<sup>4</sup> The interest groups are attended to at national level by the central secretariat and at local level by the regional secretariats.

<sup>5</sup> In the case of syndicom decisions that primarily affect the interest groups, the latter must be consulted in advance. They have the right to make proposals in this regard.

<sup>6</sup> syndicom is committed to ensuring that interest groups are also anchored at local level.

<sup>7</sup> Further details are set out in the Organisational Regulations and in the regulations of each interest group.

## **Art. 42 Competencies**

<sup>1</sup> The interest groups represent the interests of important member groups and contribute the specific interests of these members within syndicom.

<sup>2</sup> Within the scope of this task, the interest groups have the following competencies in particular:

- a. formulation of specific interests within the framework of collective labour agreements;
- b. support for CLA campaigns;
- c. determination of possible representatives in negotiating delegations for collective labour agreements, wage and social plan negotiations;
- d. exercise of the right of consultation referred to in Art. 41 paragraph 5;
- e. political representation of the interest groups internally and externally;
- f. creation of networks;
- g. conception of political campaigns that affect interest groups;
- h. organisation of conferences on specific topics;
- i. exercise of the right of application towards the other organs of syndicom;
- j. election of the interest group delegates for the Congress and the Assembly of Delegates;
- k. nomination of interest groups representatives to the Central Committee.

<sup>3</sup> The interest groups work closely with branches and sectors on specific projects.

<sup>4</sup> They support their members who represent the interest groups at local level, if possible by forming local groups.

### **Art. 43 Organisation**

<sup>1</sup> Each interest group determines its organisation within the framework of regulations that must be submitted to Central Committee for approval.

<sup>2</sup> The Equality Section has a commission for equal opportunities.

## **H. Sections**

### **Art. 44 Sections**

<sup>1</sup> The sections are the main organisational units of syndicom. They organise themselves autonomously within the framework of the Articles of Association and Section Regulations.

<sup>2</sup> The sections issue Section Regulations, which must not contradict the statutes and in which they determine their organisation, services and duties. These regulations and any amendments thereto must be submitted to the Central Committee for approval.

### **Art. 45 Duties**

<sup>1</sup> The sections have the following tasks:

- a. election of the section organs. An adequate representation of the sectors and interest groups must be provided;
- b. company-related trade union work and the establishment of union stewards' networks and company commissions;
- c. information, advice, organisation and mobilisation of members;
- d. member recruitment and trade union development of new segments;
- e. admission of new members in the section area;
- f. political and trade union representation in the cantons and municipalities of the catchment area;
- g. election of delegates to local union confederations and definition of the policies therein represented;
- h. participation in local and cantonal initiatives and referenda within the framework of the trade union's decisions;
- i. support for activities by individual branches/sectors and interest groups;

- j. appointment of the delegates to the Congress and the Assembly of Delegates;
- k. formation of working groups in specialist and service areas;
- l. submission of an annual report to the Management;
- m. together with the other sections of the Greater Region, nomination of a representative to the Central Committee for the attention of the Congress.

<sup>2</sup> To fulfil these tasks, the sections may request the assistance of the regional secretariats responsible for them.

<sup>3</sup> The sections may assume other tasks and the payment of other benefits to members in accordance with the Section Regulations.

<sup>4</sup> The sections shall have a say in the appointment of the regional secretariats responsible for them in accordance with the employment regulations issued by the Central Committee.

<sup>5</sup> Multilingual sections may use the translation services of the Central Office free of charge.

<sup>6</sup> The Sections may submit proposals to the Management at any time.

#### **Art. 46 Sections finances**

<sup>1</sup> The assets allocated to the sections may be determined by the sections themselves within the framework of the Statutes and Section Regulations.

<sup>2</sup> The section must at no time incur liabilities that are not covered by the Section's assets.

<sup>3</sup> Other matters are governed by the Finance Competence Regulations for the sections.

### **I. Management**

#### **Art. 47 Competencies**

<sup>1</sup> The Management is the management and representative body of syndicom. It reports to the Central Committee.

<sup>2</sup> The Management is responsible for the coordination and execution of all of syndicom's current business activities and for the implementation of syndicom's resolutions. In this

context, it performs in particular the following tasks:

- a. personnel and organisational management of the Central Secretariat;
- b. management of the central services and administration;
- c. asset management;
- d. election of the Regional Managements as well as personnel and organisational management of the regional secretariats in cooperation with the Regional Managements;
- e. determination of the business addresses of the regional secretariats;
- f. decision on the hiring or dismissal of personnel within the scope of the Employment Regulations;
- g. issuing the implementing regulations on the conditions of employment;
- h. information of the organs;
- i. preparation and conduct of the meetings of the organs;
- j. implementation of the adopted strategies, also at local level;
- k. national and local activities management;
- l. coordinating the activities of branches, sectors and interest groups;
- m. decision on extraordinary expenses up to an amount of CHF 60,000;
- n. preparation of activity and accounting reports;
- o. preparation of an annual financial statement, a budget and a financial plan for the attention of the responsible bodies;
- p. ensuring syndicom's services and publications;
- q. organisation of coordination conferences with the Central Secretaries and the Regional Councils and Regional Secretariats;
- r. resolution on the applications received.

<sup>3</sup> The Management may appoint the central secretariat and the regional secretariats to fulfil the above-mentioned tasks.

<sup>4</sup> Further details are set out in the Organisational and Employment Regulations.

## **Art. 48 Structure**

<sup>1</sup> The Management consists of the following members:

- a. the Trade Union Presidium;
- b. the Sector Managers;
- c. the Equal Opportunities Officers.

<sup>2</sup> The Trade Union Presidium may consist of a co-presidium. If only one President is elected, Congress appoints a Vice-President from among the other members of the Management.

<sup>3</sup> The persons responsible for the specialist departments (communication, finance and human resources) must be consulted in an advisory capacity on the business of their specialist departments.

## **Art. 49 Implementing rules**

<sup>1</sup> The Management meets regularly.

<sup>2</sup> It is invited and chaired by the Union Presidium.

<sup>3</sup> The decisions of the Management are communicated to the executive bodies and employees of syndicom in an appropriate form.

## **Art. 50 Right of application**

The Management may submit motions to all other bodies of syndicom.

## **J. Business Audit Committee**

### **Art. 51 Duties**

<sup>1</sup> The Business Audit Committee, representing the entire membership, is responsible for the supervision of syndicom's bodies.

<sup>2</sup> Within the scope of this competency, it shall in particular perform the following tasks:

- a. political validation of the implementation of decisions taken by the institutions;
- b. reporting to the bodies of syndicom;
- c. taking over the tasks of the voting and electoral office.

<sup>3</sup> Within the scope of the aforementioned tasks, the Business Audit Committee has the right to inspect all relevant documents and request information.

### **Art. 52 Composition and organisation**

<sup>1</sup> The Business Audit Committee is composed of five members who meet the professional requirements for the performance of the tasks specified in Art. 51.

<sup>2</sup> The members' term of office is three years. They may be re-elected twice.

<sup>3</sup> In order to maintain continuity of work, at least one member of the Audit Committee must be replaced at each congress.

<sup>4</sup> The Business Audit Committee shall constitute itself. It appoints a president from among its members.

## **K. External auditors**

### **Art. 53 Duties**

<sup>1</sup> Syndicom is subject to the auditing obligation in accordance with Art. 69b of the Swiss Civil Code.

<sup>2</sup> The Congress and the Assembly of Delegates elect the external auditors for a term of office of one financial year. Re-election is possible without restriction.

## **L. Court of Arbitration**

### **Art. 54 Structure and organisation**

<sup>1</sup> The Court of Arbitration is composed of a president and two assessors.

<sup>2</sup> The President must have a basic legal education.

<sup>3</sup> The members of the Court of Arbitration must not be members or employees of syndicom.

### **Art. 55 Duties**

<sup>1</sup> The Court of Arbitration decides on all matters in dispute within the scope of Art. 56.

<sup>2</sup> It justifies its decisions in writing.

<sup>3</sup> With the exception of Article 56 paragraph 2, it is not responsible for syndicom's personnel matters.

<sup>4</sup> If both parties agree, the Court of Arbitration may also be called in as a mediating body outside of the proceedings.

## **IX. Legal means**

### **Art. 56 Legal means**

<sup>1</sup> An appeal against decisions of a trade union body can be lodged with the Court of Arbitration, provided that the decision cannot be referred to any other body. The Court of Arbitration may confirm or annul the decision or make a recommendation to the competent body.

<sup>2</sup> The Central Secretaries, the Regional Secretaries and Regional Managers of syndicom may refer the final decision on their dismissal to arbitration. The Court of Arbitration may make a recommendation to the competent bodies.

The decisions of the Court of Arbitration may be referred to the ordinary civil courts.

### **Art. 57 Procedure**

<sup>1</sup> Complaints must be submitted in writing and justified to the President of the Court of Arbitration within 30 days of receipt of the decision or publication of the decision.

<sup>2</sup> The Court of Arbitration shall invite the other party or the Management, representing the institutions, to submit written comments within a period of 30 days. This period may only be extended in justified cases.

<sup>3</sup> The Court of Arbitration first conducts a conciliation hearing between the parties.

<sup>4</sup> The Court of Arbitration decides on an appeal as quickly as possible, but no later than four months after receipt of the appeal. This time deadline for completion may only be extended in justified cases.

## **X. Administrative provisions**

### **Art. 58 Financial year**

The financial year corresponds to the calendar year.

## **Art. 59 Liability**

<sup>1</sup> The association is liable exclusively with its assets.

<sup>2</sup> Any personal liability of members is excluded.

## **Art. 60 Signatory powers**

<sup>1</sup> Entitled to the legally binding signature for syndicom are:

- a. all members of the Management collectively in pairs and
- b. each Central Secretary collectively in pairs with one member of the Management;
- c. the heads of a specialist department (finance, human resources, communications) collectively with a member of the Management;
- d. the Central Committee may grant signatory powers to additional persons collectively with a member of the Management.

# **XI. Final and transitional provisions**

## **Art. 61 Local Committees**

<sup>1</sup> Until the establishment of standard sections, sections in the same geographical area are forming a Local Committee. They are assisted in their work by the competent regional secretariats.

<sup>2</sup> Each section is represented on the Local Committee. Local interest groups and branches without sections may also have a delegate.

<sup>3</sup> The Central Committee defines the geographical areas for the Local Committees and the corresponding allocation of the sections.

<sup>4</sup> The Local Committees have the task of coordinating the common interests of the regionally competent sections, in particular:

- a. the trade union and political presence of syndicom in cantons and municipalities;
- b. the election of delegates to local trade union confederations and the definition of the policies represented there;
- c. the participation in local and cantonal initiatives and referendums in the context of syndicom decisions.

<sup>5</sup> The Local Committees actively contribute to the integration of the sections in their area. In

particular, they organise social events and joint political meetings. They work out proposals for the standardisation of the individual services of the sections in their catchment areas.

### **Art. 62 Section fees for members of the sector 3**

<sup>1</sup> For a transitional period of at least three years, no additional section fees shall be charged to members of sector 3 because they are included in the central fee. The Congress may extend this period as long as the contribution system is not unified.

<sup>2</sup> During this transitional period, CHF 2.– per month and per member shall be transferred to the sections by the Central Fund for members of sector 3. This regulation also applies to the formation of unitary sections.

<sup>3</sup> In justified exceptional cases, the contribution from the central treasury in accordance with paragraph 2 may be increased by the Management at the request of the sections concerned.

### **Art. 63 Final provisions**

These statutes were approved by the Congress on November 10–11, 2017 and the Continuation Congress on June 9, 2018. They replace the statutes of December 6–7, 2013.

