

## CONSTITUTION

### **Article 1** Name and registered office

1. The association shall be named UNION SYNDICALE LUXEMBOURG (hereafter “the Union”).
2. The headquarters of the association is at 227, Val des Bons-Malades, L-2121 LUXEMBOURG. It may be moved by an ordinary decision of the Executive Committee.

### **Article 2** Basic provisions

1. The Union is independent of all national, European and international institutions, governments, administrations, political parties, religious or philosophical movements.
2. The Union guarantees and respects the freedom of its members to hold any religious, philosophical or political views.
3. The organization of the Union and the determination of its activities are based on the principle of free discussion in compliance with the present statutes and democratic rules.
4. The Union assumes responsibility for acts undertaken or carried out by its bodies and by any member, in application of these Statutes, under the conditions laid down in them.
5. It protects and defends each member in the exercise of his/her function as a member.

### **Article 3** Objectives and aims

1. The purpose of the Union is to associate, with the aim to defend their professional interests and the improvement of their living conditions in general, officials, employees<sup>1</sup> or pensioners of the European and international institutions or organisations based notably in the Grand Duchy of Luxembourg.
2. The aims of the union include:
  - a. The defence of the independence and continuity of the European and international civil service as a necessary means of achieving the objectives of European integration.
  - b. Participation in determining the material working conditions and general terms and conditions of employment of its members through free negotiations.
  - c. Improving structures and working methods within European and international institutions and bodies.

### **Article 4** Minimum number of members

The minimum number of members required by the union shall be one hundred (100).

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<sup>1</sup> Regardless of their place of employment

## **Article 5 Names and addresses of the founder members**

M. Max METGE	28, rue J.-P. Brasseur L - 1258 LUXEMBOURG
M. Luigi RONCHI	14, rue Batty-Weber L - 2716 LUXEMBOURG
M. Heinz KLITZ	35, rue Père-Conrad L - 1353 HOWALD
M. F.A. BODE	35, avenue Alphonse-München L - 2172 LUXEMBOURG
M. Fernand CARRÉ	58, rue de Strassen, L - 8094 BERTRANGE
M. P.-H. GOOSSENS	6, rue de Mersch L - 7410 ANGELSBERG
M. Werner HORN	37, rue Père-Conrad L - 1353 HOWALD
M. Georges LUDOVICI	29, avenue Alphonse-München L - 2172 LUXEMBOURG
Mlle E. RITTWEGER	5, Val-des-Roses L - 8045 STRASSEN
M. Jacques THONON	1, Cité Saint-Hubert-au-Bois, L – BRIDEL
M. François ESPOSITO	11, rue des Romains L - 8041 STRASSEN
M. Giorgio BERNARDI	5, rue Eugène-Welter L - 2723 HOWALD
M. Heinz RUDOLPH	8, avenue Monterey L - 2163 LUXEMBOURG
Mlle Simone JANTON	7, rue Nicolas-Welter L - 2740 LUXEMBOURG

## **Article 6 Admission, expulsion and resignation**

1. Any official, employee<sup>2</sup> or pensioner of the European and international institutions or bodies established notably in the Grand Duchy of Luxembourg may apply for membership of the Union.
2. Membership of the Union shall be effected by means of a written application which implies acceptance of these Statutes and Rules. The Executive Committee shall decide on admission. If the Executive Committee rejects the application, the applicant may appeal against this decision to the Trade Union Council. The latter may only reject the appeal by a majority of its members, the item being explicitly included on its agenda. The Trade Union Council shall take the final decision.
3. The resignation of a member of the Union may be made at any time. It must be notified in writing to the Executive Committee.
4. Members may be excluded from the association if they in any way seriously damage the interests of the association. From the time of the proposal for exclusion by the Executive Committee until the final decision of the General Assembly by a two-thirds majority of votes, the member whose exclusion is being considered shall be automatically suspended from his or her social functions.
5. Members who resign or are expelled may not affect the existence of the association and shall have no claim on its assets, its name nor the membership dues paid.

## **Article 7 Constituent bodies of the union**

The constituent bodies of the union shall be:

- the General Assembly;
- the Executive Committee;
- the Union Council;
- the Delegations;
- the Control Commission.

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<sup>2</sup> Regardless of their place of employment

## **Article 8 The general assembly**

1. The General Assembly shall be the highest-ranking body of the union and shall be responsible for upholding its Constitution and Rules.
2. The General Assembly shall be composed of all the members of the union.
3. The main duties and functions of the General Assembly shall be:
  - a. To discuss and adopt the Executive Committee's Annual Report;
  - b. To discuss the Executive Committee's financial Report;
  - c. To discuss the report of the Control Commission and give discharge;
  - d. To vote on motions and resolutions submitted to it as part of the agenda;
  - e. To define the lines of union policy;
  - f. To select members to the Control Commission;
  - g. To decide the amount of the union subscription, its form and method of collection;
  - h. To discuss and vote on the union's affiliation (external relations);
  - i. To amend the Constitution as provided for in Article 14 and also to amend the rules.
4. The General Assembly must vote on:
  - amendment of the Constitution;
  - nomination and dismissal of union officers;
  - approval of the budgets and accounts; and
  - dissolution of the association.
5. The general meeting is convened by the Executive Committee regularly once per year and, in extraordinary session at any time that the interests of the association require it, or one-fifth of the members request it in writing to the Executive Committee. It may also meet by a decision of the union council adopted by an absolute majority of its actual members or on written request by thirty members if one-fifth of the union membership is a number greater than thirty.
6. The invitations will be sent out at least a fortnight before the date set for the General Assembly, by ordinary letter or e-mail which must contain the proposed agenda. The period of notice for a meeting in duly stated urgent circumstances is three clear days.

## **Article 9 Arrangements for decision-making by the General Assembly**

1. In the absence of provisions to the contrary in the present Constitution and Rules, decisions of the General Assembly shall be taken by a majority of the votes cast. In the event of a tie, the motion shall be lost.
2. In counting votes, only votes for and against shall be taken into account when calculating a majority
3. Voting shall be by show of hands, except in the case of appointments, when voting must be by secret ballot
4. Members are allowed to arrange to be represented at the General Assembly by another member. However, a member may not arrange to be represented by a third party.
5. In the case of a secret ballot for appointment, only those votes bearing the names of candidates announced before the beginning of the voting shall be valid.
6. Decisions adopted by general assemblies are published and notified to the membership by minutes, and to third parties by appropriate means of communication.

#### **Article 10 The executive committee**

1. Membership of the Executive Committee

The Executive Committee consists of fifteen (15) members, including the President, Vice-President, General Secretary and Treasurer.

2. Election Procedure

The outgoing Executive Committee shall invite nominations at the end of its term of office or in any situation requiring the replacement of its members. The list of candidates shall be submitted to the General Assembly. Elections shall be by postal ballot. The Control Commission and the tellers appointed by the Bureau of the General Assembly shall be responsible for the public counting of votes.

3. Duties and Functions

The Executive Committee shall be responsible for implementing the directives drawn up by the General Assembly and for the union's business in the period between two ordinary General Assemblies. It alone shall represent the union in its dealings with its members or with other bodies and in any legal processes.

#### **Article 11 The union council**

1. The Union Council consists of members of delegations with a mandate for this membership. The purpose of the Union Council shall be to assist and to advise the Executive Committee in the execution of its duties and to ensure liaison between it and the members.

2. Its duties and functions and all procedures relating to its activities are defined in the Rules.

#### **Article 12 Delegations**

1. Delegations are the representative body of particular constituency of members, i.e. all the members in an institution or a European or international body, or retired members.

2. They act in agreement with the Executive Committee. Their tasks and duties and all the procedures relating to their activities are defined in the Rules.

#### **Article 13 Subscriptions**

1. The maximum amount of Annual membership dues is three hundred (300) euro.

2. The form, amount and method of collection of the subscriptions shall be laid down by the General Assembly.

#### **Article 14 Method of accounting, auditing and discharge**

1. The Executive Committee shall submit annually for the approval of the General Assembly its activity report, the accounts for the past financial year and the budget for the next financial year. The budget exercise starts on 1 January each year. The accounts are closed on 31 December and submitted to the General Assembly with the report of the Audit Committee designated by the General Assembly. The mandate of member of the Audit Committee is incompatible with that of a current union officer.

2. The Control Commission shall:

- Examine at regular intervals the treasurer's vouchers and books and the annual Financial Report of the Executive Committee;
- Ensure proper accounting procedures and good financial management;
- Supervise, on its own initiative, the Treasurer and his accounts;
- Advise the Executive Committee on the management of union funds;

- Approve the Executive Committee's Financial Report, making any comment which it thinks necessary;
  - Receive any objections relating to the management of union funds or accrued capital and bring them to the notice of the Executive Committee.
  - Make recommendations to the General Assembly concerning discharge.
3. After discussion of the Financial Report by the Executive Committee and scrutiny of the report by the Audit Committee, the General Assembly proceeds with approval of the budget and the accounts, and grants discharge to the Treasurer.

#### **Article 15 Procedure to be followed for amendment of the constitution**

1. Any draft revision of this Constitution must, on a proposal of the Union Council, first be made known to the members in writing and be expressly mentioned on the agenda of the General Assembly at which two-thirds of the members must be present. Should this quorum not be reached, the General Assembly shall be convened again automatically within one week, without any condition concerning a quorum.
2. Amendments shall only be adopted provided they receive a majority of two-thirds of the votes cast.

#### **Article 16 Dissolution of the union and application of the funds**

1. A decision to dissolve the union shall only be taken at a General Assembly at which two-thirds of the members of the union are present. Should this quorum not be reached, the General Assembly shall be convened again automatically within one week, without any condition concerning a quorum.
2. A vote in favour of dissolution shall require a two-thirds majority of the members present.
3. In the event of dissolution, the General Assembly shall decide, by an absolute majority of the members present, to what use the union's capital should be applied.
4. In any case, the assets of the liquidated association will be allocated to an organisation with similar aims.

#### **Article 17 Reference to the law**

For all matters not governed by this Constitution, reference is to be made to the Law of 21 April 1928 on non-profit associations, as amended.

#### **Article 18 Rules**

The accompanying rules shall apply to this Constitution and shall lay down the arrangements for application.

#### **Article 19 Final provisions**

This Constitution supersedes and replaces the Constitution of 15 March 1977 and amendments of 21 February 1989 and 10 November 2015. It was amended on 20 February 2017 and shall enter into force immediately, in its amended form. It shall be communicated to the Presidents and the appointing authorities of European institution and bodies and international institutions based in the Grand Duchy of Luxembourg.

**CONSIDERED AND AGREED BY THE EXTRAORDINARY GENERAL ASSEMBLY AT ITS  
MEETING ON 20 FEBRUARY 2017 IN LUXEMBOURG**