

## Constitution of Local industry and Municipal Workers' Union 2000 HVDSZ 2000

### 1. Definitions

- 1.1 Name of the trade union: Local Industry and Municipal Workers' Union 2000 (Legal predecessors: KDSZ Trade Union of Communal Workers and TIDOSZ Trade Union of Local Industries' and Service Workers)
- 1.2 Abbreviation: HVDSZ 2000
- 1.3 Headquarters: 1141 Budapest, Cinkotai út 97/a
- 1.4 This trade union is an independent legal person, national organization that protects employees' interests. As a successor of KDSZ and TIDOSZ, HVDSZ 2000 is a founding member of MSZOSZ
- 1.5 Stamp: a round rubber stamp, description in the external curve: Helyiipari és Városgazdasági Dolgozók Szakszervezete in the internal curve: Budapest
- 1.6 HVDSZ 2000 acts according to the content of this Constitution and under the Hungarian laws. HVDSZ 2000 is independent on political parties.
- 1.7 Aims and tasks

Aims: As a collecting and self-assisting trade union, provides comprehensive social, economical and cultural representation to the workers in communal and public services, in the local industries, general industry and service workers; workers of supported jobs (for persons with a decreased capacity for work), workers needing social support, unemployed workers, protects workers' interests and makes every effort to safeguard workplaces.

Tasks: Under the principle of solidarity, with the strength of trade union unity HVDSZ 2000 supports representation of membership, protects members' interests, struggles for trade union rights. It takes part in the strengthening of solidarity on sector, professional and national levels. In the protection of interests, the Union recognizes as natural allied partner all the trade unions representing the same interests. Improving the social, cultural, sport, and relaxation conditions for the members.

In order of fulfilling these tasks, the union operates

- A foundation
- A voluntary pension fund
- A self-assisting fund

Insurance is provided to the members, the Union contributes to organized holidays.

- 1.8 Working method of trade union: plurality voting makes decisions; consensus is endeavoring; however minority opinions can be appeared.

## 1.9 Trade membership

Trade union membership is provided to an employee (unemployed worker), who is local industry, or municipal worker, retired worker, apprentice who declares that accepts the duties with the trade union membership and is approved by the membership of a local union.

## 1.10 Accompanied members

Accompanied members must to agree with the content of this Constitution and support the activity of HVDSZ 2000.

## 2. Rights and duties

2.1 A trade union member can take part in the activity of the Union, in preparation of decisions, in resolutions making and their implementation, control and evaluation.

2.2 A trade union member can demand the protection of his/her interests from any trade union officer, or leading body. A trade union member is entitled to protection of his/her rights, information about working conditions, social supply and social security.

2.3 Within the frame of activity of self-assisting fund a trade union member is entitled - if is in need of support - to receive social supply and other advantages, coming from the membership.

2.4 A trade union member has the right to express his/her opinion in order of the collective at several forums and to elected bodies. A union member has the right to give recommendations, suggestions and complaints to trade union bodies or officers both on local and higher levels, which must be answered within 30 days.

2.5 A trade union member has right to participate in elections and can be elected to any trade union posts or leading body. This paragraph does not refer to accompanied members.

2.6 Trade union members for their outstanding activity in the movement can receive either honorable mention, or material recognition.

2.7 Membership can be ceased by

- Outgoing

- Expulsion

- Missing of pay affiliation fees for three months after letter of reminder

Membership can be ceased by anybody. Ceasing of membership should be reported in written form to leading body of the local union. A union member can be expelled only by the decision of his/her local union, if duties of membership are not fulfilled.

2.8 Duties of a trade union member:

- To keep the content of this Constitution and decisions of the local union

- To complete his/her trade union tasks

- To strengthen solidarity with the other union members

- To pay affiliation fees regularly (1 per cent of total wages)

- Retired workers, apprentices, accompanied members are paying a special affiliation fee, as determined by the local union

### Organizations of HVDSZ 2000

3. Local unions at workplaces and regional organizations
- 3.1 Trade union members are affiliated to local unions, which act either at workplaces, or to regional organizations. The minimum number of members in a local is five.
- 3.2 A local union is a so-called originated legal person and themselves define its internal structure on the base of the Hungarian laws and this Constitution of HVDSZ 2000.
- 3.3 The task of the local unions is representation and protection of interests locally; they exercise the trade union rights, provided by the Hungarian laws. According to their standing order, they are decision-making units, which exercise their rights and jurisdiction independently.
- 3.4 Activity is completed by elected trade union officers. The elected officers represent Union members either directly, or on the base of their standing order.
- 3.5 Local unions are forwarding their recommendations, statements, suggestions, or complaints to the leading bodies of HVDSZ 2000, or its officers. Replies must be sent back within 30 days.
- 3.6 Local unions - on the base of this Constitution and the valid legislation are handling their incomes independently. They are fulfilling their duties also independently. The elected President (Secretary) is responsible for the keeping of legislation, financial and economical activity. Local unions are authorized within the frame of their self-assisting activity and the limits of their working funds to provide social support to those members who need it. To control their financial activity, an auditor is elected if the number of union members in a given local is fewer than 100. If membership is higher than hundred members are, a financial control committee is elected.
- 3.7 Local unions contribute regularly (monthly) to operation and up keeping of HVDSZ 2000 institutions and indirectly support operation of national trade center, MSZOSZ. This contribution is 50 per cent of the total income originating from the affiliation fees. The Financial Control Committee followed by the preliminary reconciliation for the date of control can control payment.
- 3.8 Activity of a local union can be ceased if its membership decides so. If a local union dissolve, debts and claims should be arranged. Then the interested local union makes decision on the remaining working funds. In the lack of such decision working funds will be transferred to the central

bank account of HVDSZ 2000. Members of the dissolved local trade union can keep their continuous affiliation in another local union.

### Working bodies

4. Regional and county representatives
  - 4.1 County representatives are fulfilling the tasks on their levels. The President of HVDSZ 2000 on the base of local recommendations defines the mode of their employment. For the employed county representatives the President of HVDSZ 2000 exercises the rights of employer.
  - 4.2 Task of these representatives is to fulfill the resolutions of HVDSZ 2000 on their area. They assist the activity of local unions (at the workplaces and in the region), take steps at the partner self-governments and employers. They are invited with right to debate to take part in the work of the executive Committee. They maintain regular contact with the county commissioner. They have to convene the conference of local officers on county level.
5. Leading bodies of HVDSZ 2000
  - Congress
  - Executive Committee
  - Presidium
  - Financial Control Committee
- 5.1 Congress

This is the highest forum of representation with right of decision in the determination of HVDSZ 2000 activity.

### Sphere of authority

- Discusses and approves the report of Executive Committee and Financial Control Committee on the activity and financial situation
- Determines the basic goals and directives of HVDSZ 2000 in its protecting and representing activity
- Approves amendments of Constitution (if necessary)
- Defines the middle-distance economical strategy of HVDSZ 2000
- Establishes strike funds

### Decision making

- On the assets of the Union, about affiliation fees
- On the structure of organization and leading bodies
- On the complaints and appeals submitted to the Congress
- On merging with other unions, or on dissolution of organization
- In case of dissolution on the assets of HVDSZ 2000
- Any other issues, submitted to the congress by the Executive Committee

According to the par. 12, indent 2 of the Act Unification, annual budget is approved and controlled by the Executive Committee. The President is also controlled by the EC.

Congress elects

- President of HVDSZ 2000
- Vice-presidents of HVDSZ 2000
- Members of Financial control Committee

Congress reinforces the county administrators.

Regular meetings of the Congress are held in every fifth year. Extra-ordinary congresses can be called by the initiative of Executive Committee, if initiators are representing minimum 1/3 of the membership, or more than half of the Executive Committee members support it.

Extra-ordinary congress should be called within three months. Letter of invitation as well as the documents of the extra-ordinary congress should be sent to each delegate minimum 10 days before the opening of said congress.

Participants of Congress

Any local union elects 1 delegate. In addition another congress delegate can be elected for any 300 union members.

Other participants with full rights

- President of HVDSZ 2000
- Vice-presidents of HVDSZ 2000
- Members of Financial Control Committee
- County commissioners

In the Congress a quorum is if minimum 2/3 of the delegates are present. In the lack of quorum, Congress is called again one hour after the original time with the same agenda and then quorum is declared independently on the number of delegates. This fact and the consequences must describe in the letter of invitation.

## 5.2 Executive Committee

This is the highest forum between two congresses of HVDSZ 2000. Members are:

County commissioners (19 persons). From Bács, Szabolcs and Zala counties an additional 1 person, altogether four, commissioners from Budapest (8 persons), elected representatives of each sector (2 persons), representative of public utility sector (1 person), President and vice-presidents of HVDSZ 2000 (3 persons). Total number of EC members is 37. (This number can be lower, if one mandate in those counties where two commissioners are working will be ceased.)

President of Financial Control Committee and the chairpersons of working commissions are permanently invited to the meetings.

#### Jurisdiction of EC

- Expresses the union's statement relating to members' living and working conditions and initiates the necessary measures.
- Initiates discussions from the point of view the protection of interest important issues with other organizations, assist their solution.
- Demands information from the leaders of partner organizations, or state institutions about professional and financial areas in connection with protecting interests. EC coordinates protection of interests on sector level.
- It turns to MSZOSZ, if necessary, to discuss problems, originating from the special situation of the membership. In these cases, on the base of solidarity, asks for assistance for solution.
- It accepts recommendations relating to representation and protection of interests on local levels.
- Establishes permanent, or provisional working groups for the solving of given problems.
  - o EC elects presidium.
  - o EC exercises employer's rights over the President of HVDSZ 2000, as it is determined in the standing order.

#### Field of decisions

- On the calling and date of a regular, or extraordinary congress.
- On the annual budget and its application, as determined in the par 5.1 of this Constitution.
- On the affiliation to international organizations.
- On the delegation to national, or regional forums of reconciliation of interests.
- On the long-term plans of utilization of common assets.
- On the purchasing, or selling an article having a value over 1 million Hungarian forints.
- On concluding sector, or regional collective agreement, cooperation agreement.
- On the standing order of HVDSZ 2000.
- On the affiliation, or expelling local unions.
- Presidium is obliged annually to report on its activity, as it is fixed in the par. 5.1 of this Constitution.
- If President's activity is finished from any reason, an extra-ordinary congress must convoked within three months.

Open, secret balloting, or voting by name can make resolutions of the EC. Minority opinions should be always indicated. To order secret balloting, or voting by name is possible by the votes of 50 per cent + 1 person of participants.

EC meetings are held as necessary, but minimum quarterly. Quorum is reached if minimum 2/3 of the members is present.

Simple majority voting makes decisions. A minute is prepared on the meeting, which will be sent to the EC members within 8 days.

### 5.3 Presidium

Presidium is an operative, coordinating and expert institution between two EC meetings. President of HVDSZ 2000 is responsible for its convocation, who is the chairperson of the Presidium at the same time. Presidium meetings are held as necessary, but normally before the EC meetings (a week before). Presidium is called minimum six times per year.

Members (9) are:

- President of HVDSZ 2000
- Vice-presidents of HVDSZ 2000 (2 persons)
- Six additional members elected by the EC.

Jurisdiction:

- Prepares the EC meetings, its resolutions, controls their implementation.
- Listens regularly the report of regional representatives.
- Disciplinary or ethical committee is established, as necessary.
- Coordinates the recruiting of new members on national level.

Decision making:

- On the delegation members to MSZOSZ institutions and working groups.
- On the participants of delegations to international missions.
- In accordance with regional representatives on businesses relating to local union secretaries, but extraordinary notices.

Presidium meeting has a quorum is 50 per cent plus 1 member is present. Resolutions are approved with simple majority votes. In case of equal number of votes, President's vote is decisive.

### 5.4 Financial Control Committee (FCC)

An independent committee (3 persons) elected by the Congress.

Tasks:

- Controlling the economical, financial procedures, keeping the relating regulations
- Controlling the prepared balance
- Examination of complaints or relating to economical, financial notices activity
- Reviewing the documents relating to taxation and social security obligations, controlling the proper accounting and payments
- Preparation of preliminary opinions about the economical activity and utilization of HVDSZ 2000 assets

- Submitting annual information for the Executive Committee about the controlling experiences
- President of FCC is present as an observer on meetings both of Presidium and EC

#### Right of decision

- FCC elects its president
- Defines its operation, scheduling of its controlling activity on the base of terms, as determined in the laws
- In case of grave financial, or economical failures FCC calls the extraordinary EC meeting
- A process can be initiated, if necessary

#### 6. Leading officers of HVDSZ 2000

- President
- Vice-presidents

#### President

##### 6.1 The Congress elects President

President represents HVDSZ 2000 at every level and theme

President calls the Executive Committee and Presidium meetings and chairs at both meetings

Exercises employer's rights over the employees of HVDSZ 2000 as it is fixed in the standing order

Special tasks:

- President represents HVDSZ 2000 at the forums of reconciliation on interests and on international level and declares its statements
- President directs and organizes preparation of decisions of the EC and implementation of resolutions
- President is responsible for the publicity of the activity of leading bodies
- President directs the economical activity within the limits of the budget, approved by the Executive Committee
- President is responsible for the legacy of economical activity, keeping and maintaining financial disciplines
- President is a full right representative and member of the Federal Council of MSZOSZ
- President makes steps individually in any business, required by the Executive Committee and is specified by this Constitution and the standing order
- President observes continuously the implementation of the agreements, concluded by HVDSZ 2000
- President is obliged to report regularly on his activity to the Executive Committee



- President is in touch with the members of Presidium between two EC meetings

## Vice-presidents

### 6.2 The Congress elects vice-presidents

Vice-presidents substitute the President in his absence, as it is fixed in the standing order and as required by the President.

Their jurisdiction, tasks are defined by the President on the base of this Constitution and the content of standing order.

Vice-presidents regularly inform the Presidium, Executive Committee and the President on their activity.

#### 6.2.1 Vice-president of economical policy

Special tasks:

- To follow continuously the amendments of legislation and regulations of economy.
- To elaborate recommendations for the Executive Committee to prepare new decisions.
- To direct the activity of the commission of economy
- To assist the collective bargaining process of the locals with advising materials and consultation. To coordinate the preparation of branch collective agreements.
- To prepare recommendations and training materials for the locals to assist their activity in the field of economy, to increase their knowledge for wage negotiations.
- To develop contacts between HVDSZ and interested institutions, like foundations and pension funds.
- To coordinate the activity of regional and county representations in the field of economy.

#### 6.2.2 Vice-president of trade union policy

Main tasks:

- Controls continuously the number of affiliates, payments of membership fees. Prepares analysis and recommendations for the Executive Committee on recruiting and keeping trade union members.
- Directs an operative committee of trade union policy.
- Elaborates recommendations and brochures for the locals to assist the trade union policy.
- Coordinates the organization activity of the regional, county and local unions.
- Provides the personal and technical conditions required to the operation of trade union structures.
- Organizes the information of local unions, controls the necessary streaming of information at every level.

- Organizes and coordinates the training for trade union officers.

## 7. Commissioners

7.1 The participants of county meetings (Budapest meeting) of local secretaries elect commissioners by simple majority, if minimum 50 per cent of the secretaries is present. The Congress approves the elected officers.

7.2 Their task is to represent the opinions of the locals on level of Executive Committee. They have to keep continuous contact with the representatives of the regions. A quarterly report should be prepared for the county conference on their activity.

7.3 In case of vacancy of a post, the meeting of local secretaries elects a new commissioner. If the number of the vacant posts is higher than 1/3 of the total number of commissioners, extraordinary congress should be convoked. If two commissioners are working in one county and both posts are vacant, only one commissioner will be elected.

## 8. Finance

8.1 The assets of HVDSZ 2000 are those which have been defined by the results of works council elections from the KDSZ-TIDOSZ properties, on the base of the Hungarian Law No. 1991.XXVIII, amended by the Hungarian Law 1993.XIII.

The assets of HVDSZ 2000 are impartible.

8.2 In order to fulfill the tasks and goals of HVDSZ 2000, on the base of the law, the trade union has the right to manage business activity.

### 8.3 Incomes:

- Affiliation fees, paid by the locals (50 per cent of the total membership fees)
- Returns from the common assets
- Other contributions from the locals, or other organizations
- Others

### 8.4 Expenses:

- Salaries, taxes, social security fees
- Honorariums
- Technical costs, expenses for conduct of affairs I:J Operation costs
- Others

8.5 HVDSZ 2000 is responsible for its debts with its own assets. For the debts of a local, the exclusive responsibility relates to the local union. Trade union members are responsible for the debts of the HVDSZ 2000, or a local union only up to their paid affiliation fees. If a trade union member leaves HVDSZ 2000, is not entitled to any share from the trade union assets.

8.6 For a bank disposition two signatures are necessary. The President, the vice-presidents and chief treasurer authorized to sign bank dispositions.

The Congress of HVDSZ approved this Constitution on the 1st of June 2000.