



European Federation of Public Service Unions (EPSU)

CONSTITUTION

**Adopted at the 8th EPSU Congress
June 2009, Brussels**

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PREAMBLE

The European Federation of Public Service Unions (EPSU) promotes the interests of public sector workers and their trade unions in Europe. The promotion of equal rights and opportunities principles is central to EPSU work. These principles –including the variety of languages spoken– will be an integral part of EPSU’s policies and structures.

All affiliates will strive towards the attainment of equal representation of women and men in their own decision-making bodies. EPSU is committed to achieve 50% women’s representation in its own structures.

The EPSU shall co-operate with the Public Services International (PSI) and support the objectives defined by it.

The EPSU shall maintain its autonomy in implementing all decisions relating to its area of activity.

In its capacity as a Federation of the European Trade Union Confederation the EPSU will contribute to the formulation of ETUC policies and their implementation.

In consideration of the above, the member unions of the EPSU adopt the following constitution.

1. NAME AND IDENTITY

The European Federation of Public Service Unions (EPSU), hereafter referred to as EPSU, is:

- 1.1 A Federation of independent and democratic trade union organisations for workers in public services and services in the public interest in Europe;
- 1.2 A Federation, which contributes to promoting the interests of public service workers at global level and which is autonomous regarding EU/European internal policies;
- 1.3 A Federation of the European Trade Union Confederation;
- 1.4 The recognised Regional Organisation for Europe of Public Services International, (list of countries covered by the European Federation can be found in appendix IV List of Constituencies).

2. ORGANISATIONAL SCOPE

- 2.1 EPSU's organisational scope covers workers in European institutions; national, regional and local government; gas, electricity and water services; waste management and environmental protection; social services and health services; education administration, science, culture and recreation; other organisations providing services to the public; and defend the interests of workers in these areas in both publicly and privately owned and managed companies.

3. SHARED VALUES

EPSU strives towards the:

- 3.1 Protection and promotion of civil and political rights, economic, social and cultural rights, with a particular emphasis on fundamental rights and principles at work;
- 3.2 Promotion of cooperation in a spirit of unity and in respect of the plurality of unions;
- 3.3 Promotion of solidarity among workers and their trade unions, at national, European and global level;
- 3.4 Promotion of gender equality and equal opportunities and treatment for all;
- 3.5 Promotion of sustainable development at national, European and global level.

4. AIMS

- 4.1 EPSU will promote:
 - a) A social Europe, through labour market and economic policies to advance social justice and decent work, employment and social inclusion;
 - b) Quality public services for all;
 - c) Social dialogue at all levels;
 - d) The organisation and recruitment of workers in public service unions to strengthen the European and global trade union movement;
 - e) Gender parity in all decision making bodies within affiliated organisations and representation of other equity seeking groups;
 - f) Cooperation amongst affiliates at national, sub-regional and regional levels;

- g) Actions to resist marketisation¹ of public services;
 - h) Public regulation of private provisions of public services.
- 4.2 EPSU will represent:
- a) Public service workers' interests before EU institutions, inter-governmental and non-governmental organisations in Europe, employer organisations and multinational companies active in Europe.
- 4.3 EPSU will coordinate:
- a) European affiliates' policy and actions concerning PSI work at European and global level.
- 4.4 EPSU will provide:
- a) Advice and assistance to PSI concerning political developments in Europe.
- 4.5 EPSU will develop appropriate industrial relations systems for public service workers including:
- a) Promoting and establishing social dialogue, at national and European level in companies, sectors; and at the inter-sectoral level where the Federation forms part of the ETUC delegation;
 - b) Negotiating agreements with European employers at a European level;
 - c) Defending and promoting trade union rights;
 - d) Coordinating industrial action where required;
 - e) Integrating gender equality and equal opportunities for all;
 - f) Developing common policies and the coordination of collective bargaining;
 - g) Promoting work place democracy and workers' rights to information, consultation and participation.
- 4.6 EPSU will:
- a) Promote and develop training and capacity building for trade unions;
 - b) Implement the Federation's and PSI Global policies;
 - c) Strengthen public service union membership of the Federation and PSI.

5. MEMBERSHIP

- 5.1 Within the organisational scope described in article 2 of this constitution, European unions representing workers in public services or other organisations providing services to the public are eligible for membership of EPSU if they are members of the PSI or if they are members of a national trade union confederation affiliated to the ETUC.
- 5.2 In principle, all affiliates should be members of both EPSU and PSI. Unions that are only affiliated to EPSU can be exempt from the above principle, provided their affiliation pre-dates 1 July 2009. Where a union is affiliated to PSI, the number of members declared to both organisations will be the same. Further details of affiliation policy are laid down in the cooperation agreement between EPSU and PSI in Appendix I.
- 5.3 Other trade union organisations within the EPSU organisational scope shall be

¹ Marketisation is the process that is to enable the state-owned bodies/enterprises to act like market-oriented firms. This is achieved through reduction of state subsidies, deregulation, organizational restructuring, decentralization and privatization, as well as the introduction of public-private partnerships, including private finance initiatives. These steps, it is argued, will lead to the creation of a functioning market system (source Wikipedia).

eligible to join providing:

- 5.4 They adhere to the following principles:
- a) the right to collective bargaining and rights of representation;
 - b) the right to elect their representatives in full freedom and draw up their own constitution and rules;
 - c) the right of workers to withdraw their labour.
- 5.5 And that they significantly contribute to increasing and extending the EPSU representativity in the social dialogue within a given sector. The EPSU Executive Committee decides on this on a case-by-case basis.
- 5.6 The Executive Committee shall have the power to determine membership of the EPSU. Regarding affiliation of new members, in case of dispute, the Secretariat of the EPSU would meet with respective members in the countries concerned to try to establish consensus. Then, it would report back to the Executive Committee and a vote based on a two-thirds majority of members present and voting should be held in accordance with article 8.2.g).

6. GOVERNING BODIES

The EPSU governing bodies are:

- a) Congress
- b) Executive Committee

7. CONGRESS

- 7.1 The supreme governing body of EPSU is the Congress.
- 7.2 Congress will meet in ordinary session at least every 5 years.
- 7.3 An extra-ordinary Congress can be called by the Executive Committee or at the request of affiliated organisations whose combined membership represents at least one third of the total paid-up membership of the Federation.
An extraordinary Congress must be convened within five months of the decision and only consider those matters for which it was convened
- 7.4 Congress shall be composed of:
- a) Delegates with voting rights from affiliated organisations that have fulfilled their financial obligations over the last Congress period.
 - b) All Congress delegations should be based on gender parity.
 - c) Affiliated unions, that have joined EPSU in the course of the period between Congresses, are entitled to send full delegations with voting rights to the Congress provided they have paid their affiliation fees for the duration of their membership before the first day of Congress.
- 7.5 The Executive Committee sets the Congress agenda and Congress approves the final agenda.
- 7.6 The agenda shall include the following items:
- a) Election and report of the Credentials Committee.
 - b) Ratifications of:
 - i. Members of the Congress Board;
 - ii. Members of the Standing Orders Committee;

- iii. Tellers.
 - c) Members of the Resolutions Committee.
- 7.7 Congress shall:
- a) Receive EPSU's activities and finance reports for the Congress period;
 - b) Vote on resolutions submitted by the Executive Committee and / or affiliated member organisations;
 - c) Deal with the matters that the Executive Committee wishes to submit to Congress.
- 7.8 Matters arising during Congress can be submitted as described in the Standing Orders Governing Congress appended to the EPSU Constitution (Appendix II).
- 7.9 Congress shall elect:
- a) The President
 - b) The General Secretary
 - c) The members of the Executive Committee
 - d) Two member auditors, one woman and one man
- 7.10 The convening notice shall be issued one year before the date on which the Congress begins.
- 7.11 The Executive Committee starts preparation no later than one year before the first day of Congress.
- 7.12 The draft agenda, reports and draft resolutions shall be sent to Congress delegates no later than two months before the date on which Congress begins.
- 7.13 The Standing Orders for Congress are an Appendix II to the Constitution.

8. EXECUTIVE COMMITTEE

- 8.1 The Executive Committee shall manage EPSU's the affairs between Congresses.
- 8.2 It shall:
- a) Meet at least twice a year;
 - b) Elect four Vice Presidents;
 - c) Appoint the Deputy General Secretary;
 - d) Approve and evaluates the EPSU work programme, budget and staffing requirements;
 - e) Provide guidance to the secretariat, and coordinates the standing committees;
 - f) Approve financial and administrative matters;
 - g) Decide on the basis of a two thirds majority of members present and with the right to vote on questions of affiliation;
 - h) Determine the EPSU mandate in the inter-sectoral and sectoral social dialogue;
 - i) Decide on policy issues relating to European Union institutions, other European organisations, European employers' organisations and ETUC;
 - j) Review European participation in the implementation of PSI global policy and strategic objectives and makes recommendations to the PSI Executive Board;
 - k) Nominate European members of committees or other bodies established by the PSI Executive Board, taking into account the recommendations of constituency coordinating groups.
 - l) The Executive Committee has the power to set up other bodies, ad-hoc committees and working groups.
 - m) The Executive Committee can delegate power to several of its members, to the

President, the General Secretary and to the standing committees for specific, time limited tasks.

- n) The Executive Committee adopts its own Standing Orders (Appendix III).
- 8.3 The Executive Committee shall be composed of:
- a) One Titular Member per 400,000 paid members, or parts thereof, from each of the countries where EPSU has affiliated organisations. There will be one substitute per titular member.
 - b) The President, the Vice Presidents, the General Secretary, the Deputy General Secretary.
 - c) The PSI President and General Secretary are ex-officio members and can nominate two substitutes.
 - d) Presidents of the Statutory Committees with the right to speak.
 - e) Each Constituency will ensure gender parity in their titular and substitute members on the Executive Committee.
 - f) Observers may be invited by the Executive Committee.
- 8.4 Members of the Executive Committee will be elected by Congress for a five year term, until the end of the following Congress.
- 8.5 If vacancies occur, the affiliates in the country concerned may appoint a new titular member/substitute, to be ratified by the Executive Committee, respecting gender parity within the constituency.
- 8.6 Each country is entitled to one seat on the Executive Committee representing 400,000 members or part thereof. The following applies to countries entitled to more than one seat: if the number of members in a country drops below a 400,000 paid members threshold in a given two-year period, the country will lose a seat. Conversely, if a country surpasses a 400,000 threshold in a given two-year period it will obtain an additional seat. These changes will be effective the year following the given two-year period.
- 8.7 The Executive Committee will aim to reach decisions by consensus;
- a) When this is not possible voting will be by show of card (see Standing Orders for EPSU Executive Committee Meetings, appendix III, points 10 – 12).
 - b) Each member of the Executive Committee representing an organization having paid its Federation affiliation fee or entitled by the Executive Committee to a reduction or exemption has one vote, as have members of the Executive Committee referred to in article 8.3.b) and 8.3.c). In the event of a tie, the proposal is not adopted.
 - c) Decisions will be voted by simple majority of 50% + 1 voting members present, except in the case of affiliation questions when a two-thirds majority is required (see paragraph 8.1.g)).
 - d) The quorum will be established at the beginning of each Executive Committee meeting as laid down the Executive Committee Standing Orders in appendix III².

9. THE PRESIDENT AND VICE PRESIDENTS

- 9.1 Congress will elect the President for a five-year term. He or she has the right to be re-elected.

² Proposed text for the Executive Committee Standing Orders in appendix III.

The quorum will be established 1 hour after the meeting has started and cover the entire duration of the Executive Committee.

- 9.2 The President will chair the Executive Committee; other meetings and other governing bodies in which she/he is present. In her/his absence replacement will be ensured by one of the Vice Presidents.
- 9.3 The Executive Committee shall elect one senior Vice President and 3 Vice Presidents from amongst its members for a five-year term. They have the right to be re-elected.
- 9.4 Nominations for President and Vice-Presidents will reflect the geographic diversity of the membership of the Federation and respect gender parity.
- 9.5 In case of the vacancy of the position of President between two ordinary Congresses, the Senior Vice Presidents shall take up the duties of the President allowing the Executive Committee to elect a new President for the period until the next ordinary Congress.

10. THE GENERAL SECRETARY

- 10.1 The General Secretary shall be elected by Congress for a five year term.
- 10.2 She / he is responsible for:
- a) The management of the Federation's affairs, including property, staffing and financial issues, in line with Congress and Executive Committee decisions;
 - b) Implementation of Congress and Executive Committee policy and campaigns.
- 10.3 She / he has the right to be re-elected.
- 10.4 In case of a vacancy of the position of General Secretary, between two Ordinary Congresses, the Executive Committee designates an Acting General Secretary until the next ordinary Congress.

11. STANDING COMMITTEES FOR SECTORAL WORK

- 11.1 The Executive Committee decides on the establishment of sectoral (Standing) Committees.
- 11.2 Their composition will comprise one titular and one substitute member representing the interests of each country with each Constituency ensuring gender parity. In cases of sectors where the workforce is dominated by one gender, proportional representation may apply.
- 11.3 A country is entitled to an additional representation above 800.000 paying members (see appendix V of the EPSU Constitution for rules on its Standing Committees.).
- 11.4 Composition based on paid-up membership figures will be revised at every Congress.
- 11.5 The Standing Committees have a consultative role. They are the body responsible for sectoral social dialogue and they report to the Executive Committee.

12. EUROPEAN WOMEN'S AND GENDER EQUALITY COMMITTEE

- 12.1 The Executive Committee will establish a Women and Gender Equality Committee.
- 12.2 This Committee will be composed of 2 titular members and 2 substitute members per

Constituency. One titular will be nominated from amongst the Constituency's Executive Committee members and at least one of the titular members will be a woman.

13. YOUNG WORKERS ACTIVITIES

- 13.1 The Executive Committee will establish a specific budget and structure for young workers activities.

14. WORKING GROUPS

- 14.1 The Executive Committee will determine working group mandates, time frames, composition and financial arrangements. (Appendix VI of the EPSU Constitution).

15. CONSTITUENCIES

- 15.1 The constituencies are determined in Appendix IV. It is recommended that affiliates establish a constituency coordination group. Affiliated unions are expected to cover the costs of constituency meetings. The Executive Committee may provide funding for these meetings.

16. CONSULTATION MECHANISMS WITHIN COUNTRIES

- 16.1 It is recommended that the affiliated unions develop coordination mechanisms at national level, such as national coordinating committees.
- 16.2 Country representatives commit to liaise and consult with all affiliates in their country and to report back to them.

17. FINANCE

- 17.1 Congress determines the rate of the annual membership fees.
- 17.2 Congress may delegate authority to the Executive Committee to set new rates between meetings of Congress.
- 17.3 Payments are effected in Euros and the date of payment is before 1 April of each calendar year.
- 17.4 Paid up membership figures will determine voting and representation rights.
- 17.5 Participation and sponsorship for meetings is conditional on affiliates being up to date with their membership financial obligations.
- 17.6 The Executive Committee will determine conditions and procedures for reduction or exemption of payments.
- 17.7 Requests from affiliates for reduction or exemption should be addressed to the Secretariat for the consideration of the Executive Committee before 1 April of each calendar year.

- 17.8 Further rules on requests for reduction or exemption of payment are covered in item 18.5) of the Cooperation Agreement in appendix I
- 17.9 If an affiliate has not fulfilled its financial obligations by 1 July of every calendar year, it will be declared in arrears.
- 17.10 If an affiliate is in arrears, the Executive Committee will determine a reduction in rights and entitlements.
- 17.11 In the case of Executive Committee members, if their union is declared in arrears, the member will lose speaking and voting rights.
- 17.12 If a union is declared in arrears for two consecutive years, the Executive Committee will suspend the union's membership. If no solution can be found, the Executive Committee shall inform the organisation concerned that its name will be deleted from the list of affiliated organisations.
- 17.13 Further rules relating to non-compliance with financial obligations to both EPSU and PSI and subsequent expulsion are covered in item 18.6. of the Cooperation Agreement between EPSU and PSI in appendix I

18. FINANCIAL ASSISTANCE

- 18.1 For all meetings and activities, travel and subsistence expenses are borne by the affiliated organisations. The Executive Committee may provide funds for assistance to meet costs of attending meetings for unions in some countries. The Executive Committee will establish the conditions of financial assistance.
- 18.2 Further rules on financial assistance are covered in item 18.6) of the Cooperation Agreement between EPSU and PSI in appendix I.

19. MEMBER AUDITORS

- 19.1 The two member auditors are elected at Congress based on gender parity.
- 19.2 Member auditors have access to all financial documents, deeds and certificates.
- 19.3 They are responsible for ensuring that expenditure is in accordance with decisions of Executive Committee and is made with its approval.
- 19.4 Member auditors compile an annual report on their findings, which is included in the annual Finance Report for the approval of the Executive Committee.

20. DISAFFILIATION

- 20.1 All decisions concerning disaffiliation must be made before 1 July to become effective in the following year.
- 20.2 The affiliated union is required to pay its membership fees of that year.
- 20.3 Further rules on withdrawal and expulsion from both EPSU and PSI are covered in items 18.7) and 18.8) of the Cooperation Agreement between EPSU and PSI in Appendix I.

21. WORKING METHODS

- 21.1 Affiliates will be encouraged to participate actively in developing policy, EPSU plan of activities, and to represent the Federation where appropriate.

22. LANGUAGE FACILITIES

- 22.1 Languages for interpretation and translation will be determined by the Executive Committee, taking the composition of the meeting attendance into account.
- 22.2 Ad hoc meetings and working groups should, as far as possible, be conducted in English.

23. AMENDMENTS TO THE CONSTITUTION

- 23.1 A two thirds majority of Congress delegates present and voting is required for an amendment to the Constitution.
- 23.2 However, at the request of at least 4 trade unions from 4 different countries a membership vote shall take place. Further details are laid down in the Standing Order governing Congress.

24. INTERPRETATION OF THE CONSTITUTION

- 24.1 The Executive Committee will be responsible for interpreting the Constitution between meetings of Congress.

25. AUTHORITATIVE LANGUAGE VERSION

- 25.1 The authoritative language version of the Constitution is French.

26. DISSOLUTION

- 26.1 The decision to dissolve the Federation is reserved to Congress. A resolution on dissolution must be put on the Congress agenda in conformity with article 7 Paragraphs 7.7.b) and 7.12.
- 26.2 A resolution on dissolution requires a three-quarters majority of the paid-up membership represented at Congress by a membership vote. A resolution on dissolution must lay down the dispositions to be made of the Federation's residual assets, after settlement of all debts and liabilities and all obligations towards the Federation's staff.

27. APPENDICES

- 27.1 The appendices to the Constitution are not part of the Constitution and can be amended by the Executive Committee as required.

APPENDICES TO THE EPSU CONSTITUTION³

³ These appendices were amended at the 16-17 April 2013 Executive Committee meeting

Appendix I - Cooperation Agreement between EPSU and PSI

Final version adopted by the EPSU Executive Committee on 25-26/11/2008 and the PSI Executive Board on 31/12/08

PREAMBLE

1. This revised Cooperation Agreement derives from:
 - 1.1) The PSI Congress Statement on the Relationship between PSI-EUROPE and EPSU, adopted by the 28th World Congress of Public Services International, 24–28 September 2007 in Vienna, which agreed that:
 - “ 1) *The PSI Executive Board is authorised to continue the merger process with EPSU on the basis of the documents endorsed by PSI EUREC and the EPSU Executive Committee, including a revised Cooperation Agreement.*
 - 2) *Existing structures of PSI Europe and EPSU be merged during the transition period, which is foreseen to be concluded at the EPSU Congress in 2009.*
 - 3) *The PSI Executive Board will receive regular updates on the merger process.”*
 - 1.2) Article 5 of the EPSU Constitution on Membership, to be approved by the 8th EPSU Congress, 8–11 June 2009 in Brussels.
2. This revised agreement and the transitional arrangements in the appendix will take effect from 1/1/2010. The transitional arrangements shall remain in effect; superseding the relevant parts of the agreement, for such time as is specified.

A Shared Vision

3. PSI and EPSU believe that a democratic and accountable public service has a central role to play in creating sustainable, equitable, economic and social development. Effective delivery depends on the workers in those services having adequate incomes, good working conditions, and satisfying work that respects their rights, involving them in shaping the services which they deliver.
4. Both organisations strive to promote equality and diversity and to combat all forms of discrimination. They are committed to promote freedom of association and collective bargaining and to strengthen the capacity of their affiliated organisations and the individual members. They aim at seizing the opportunity of the public sector reform to work on issues that are of fundamental importance to the well-being and development of communities.

Common Goals

5. PSI and EPSU have a large common membership. Working together helps the two organisations to:
 - 5.1) Respond to the challenges of globalisation;
 - 5.2) Link European and global trade union work;
 - 5.3) Improve services to members;
 - 5.4) Make best use of their resources;
 - 5.5) Co-ordinate representation and organisation;

- 5.6) Identify potential for membership.
6. PSI and EPSU are linked through recognition in their respective constitutions and EPSU operates as the recognised regional organisation of PSI in Europe. The EPSU Constitution will be added as an appendix to the PSI Constitution.

Joint Cooperation Committee

7. There will be a Joint Cooperation Committee comprised of the Presidents and General Secretaries of PSI and EPSU. The Committee may be supplemented or substituted by other officers by agreement.
8. The main role of the Committee shall be the general oversight of the Cooperation Agreement and ensuring the coordination and cooperation of the two organisations. This will include ensuring there are regular coordination meetings between the management and staff of the two organisations. It will be the Committee's responsibility to monitor a programme of joint activities and progress generally, which in turn will be reported to the decision-making bodies of each organisation.
9. In particular, the Committee will have responsibility for jointly considering:
- 9.1) Membership issues – including affiliation and disaffiliation proposals;
 - 9.2) Recruitment strategy;
 - 9.3) Project coordination;
 - 9.4) Finance matters;
 - 9.5) Relations with other organisations;
 - 9.6) Dispute resolution.
10. The Committee will normally meet at least twice a year.

COOPERATION AGREEMENT

I. Parties to the agreement

11. Public Services International (PSI) and the European Federation of Public Service Unions (EPSU), known as the parties to the agreement, hereby agree the following:

II. Purpose and timeframe of the agreement

12. EPSU and PSI Europe will be merged into a single federation known as the European Federation of Public Service Unions (EPSU). Following the endorsement of the PSI Steering Committee and the EPSU Executive Committee at their respective meetings in November 2008, and following the adoption of a new Constitution at the EPSU Congress in June 2009, this agreement will come into force from 1 January 2010.

III. Name and identity of the Federation

13. As specified in Article 1 of its Constitution, EPSU is:
- 13.1) A Federation of independent and democratic trade union organisations for workers in public services and services in the public interest in Europe;
 - 13.2) A Federation, which contributes to promoting the interests of public service workers at global level and which is autonomous regarding European Union (EU)/European internal policies;

- 13.3) A Federation of the European Trade Union Confederation (ETUC);
 - 13.4) The recognised Regional Organisation for Europe of Public Services International (PSI);
 - 13.5) The geographical area as defined in the PSI and EPSU constitutions.
14. In relation to points 13.3 and 13.4, EPSU will insert the logos of the ETUC and the PSI at the bottom of its letter head and publications, mentioning:
- 14.1) EPSU is a member federation of the ETUC + ETUC logo;
 - 14.2) EPSU represents PSI in Europe + PSI logo.

IV. Areas of cooperation

15. EPSU and PSI are cooperating on a number of issues of common interest in the areas listed below. As other areas of cooperation develop over time, they will be agreed in the respective governing bodies of both organisations and thereby offer the opportunity to monitor and evaluate activities:
- 15.1) Quality public services and services of general interest;
 - 15.2) EU policies on external relations and neighbouring countries;
 - 15.3) Sectors represented by EPSU and PSI;
 - 15.4) Transnational companies;
 - 15.5) Gender equality, equal opportunities and diversity;
 - 15.6) Trade union rights in the public sector;
 - 15.7) Organisation and recruitment of public sector workers;
 - 15.8) Communication and public relations where appropriate.

V. Methods of cooperation

Representation

16. PSI and EPSU are represented on each other's governing bodies and Congresses. Each organisation will afford the other the opportunity to attend other committee meetings and conferences, which cover areas of common interest.
17. In principle however:
- 17.1) EPSU will be responsible for meetings and contacts with the following: ETUC and its Industry Federations, European public sector employers, relevant European non-governmental organisations (NGOs), EU sectoral social dialogue and related ad-hoc meetings, EU institutions and bodies such as the Commission, Parliament, Economic and Social Committee, Committee of Regions, and other European organisations such as the Council of Europe;
 - 17.2) PSI will be responsible for meetings and contacts with the following: the International Trade Union Confederation (ITUC) and its Global Union Federations, international employers' organisations, relevant NGOs, the Trade Union Advisory Committee (TUAC) and Organisation for Economic Cooperation and Development (OECD), the United Nations including the International Labour Organisation (ILO), the World Trade Organisation (WTO) and the International Financial Institutions.

Membership and recruitment

18. In order to implement Article 5 of the EPSU Constitution on Membership – in particular that in principle all affiliates should be members of both EPSU and PSI – it is agreed that:
 - 18.1) A joint recruitment and organising strategy will be developed and regularly evaluated;
 - 18.2) All affiliates in the PSI Europe region, currently not affiliated to EPSU, can join EPSU without additional formal requirements. They will pay the EPSU affiliation fee, to be gradually phased in as agreed by the EPSU Executive Committee. EPSU / PSI indexation rules will apply (see Appendix: Transitional Arrangements, Section II Affiliation Fees);
 - 18.3) EPSU will encourage all its affiliates to become members of PSI;
 - 18.4) The EPSU Executive Committee will consider all applications for affiliation – within its organisational scope – to both EPSU and PSI. It forwards its proposed attitude to membership to the PSI for comment and joint consideration;
 - 18.5) The same applies for applications for exemption or reduction of fees and withdrawal of affiliation;
 - 18.6) If an organisation affiliated to both EPSU and PSI does not comply with its financial obligations to either organisation over a period of two consecutive years, the case will be brought before the EPSU Executive Committee and the PSI Executive Board prior to any declaration that the affiliation be terminated. Expulsion will apply to both PSI and EPSU unless Articles 5.3, 5.4, 5.5 of the EPSU Constitution apply. Unions eligible for financial assistance will lose this right if in arrears towards either organisation;
 - 18.7) If an organisation affiliated to both EPSU and PSI acts in violation of EPSU and PSI values, principles and aims, the EPSU Executive Committee and the PSI Executive Board will both consider the position prior to any decision on expulsion;
 - 18.8) An organisation indicating its intention to withdraw shall inform EPSU and PSI at the same time.

Finances

19. The work of EPSU is financed through different sources of income. These include principally:
 - 19.1) The EPSU affiliation fees, as defined by its Congress and/or Executive Committee;
 - 19.2) The PSI contribution to European work, as defined under (20);
 - 19.3) An additional contribution by EPSU-only affiliates, as defined under (21) and (22).
20. Based on the PSI European Regional Executive Committee (EUREC) recommendations of 17–18 April 2007, PSI will transfer to EPSU an annual amount corresponding to 18% of its income from its European affiliates, with effect from 1 January 2010. Transfers will be made quarterly and will be calculated on the basis of the latest available audit report. The quarterly transfers will be adjusted when the new audit report is available in April. The percentage rate can be reviewed after 2012.

21. EPSU will use the financial transfer to undertake activities with due focus to be given to the needs of the new EPSU affiliates from PSI's European region, as laid out in the document "Outline of Activities – what and how?" and as agreed by its Executive Committee. In order to deal with the overall agreed EPSU work programme in the enlarged area of organisation, additional staff will be hired to the EPSU Secretariat. These staff will be funded from the financial transfer. EPSU will provide financial reports and audited accounts to the PSI in relation to the expenditure incurred from the financial transfer.
22. PSI will create a European programme guarantee fund, equivalent to its annual contribution to EPSU, on its general reserves. This fund will be adjusted annually, on the basis of the previous year's audited accounts. This fund will be additional to the contribution due, and shown in the annual expenditure budget.
23. As part of the merger, trade unions that are affiliated to EPSU only will be requested to contribute an additional fee corresponding to the amount that other affiliates contribute per member to the PSI financial transfer. This contribution will be phased in gradually, as decided by the EPSU Executive Committee.

Managerial and financial handover

24. The managerial and financial responsibility for the European sub-regional offices, including the supervision, office management and work plans of the five sub-regional staff, will be transferred to the EPSU General Secretary as of 1 January 2010.

Fund-raising

25. Both organisations will inform one another of their plans to raise additional funds for activities from different funding sources, in order to avoid duplication of funding requests.

Research and information

26. Both organisations have access to research and information networks, through their national affiliates, other Global Union Federations, the ITUC, TUAC, ETUC and the Public Services International Research Unit (PSIRU), as well as through their relations with inter-governmental agencies. Where appropriate, PSI and EPSU will share research and information in the areas of common interest.

Training

27. PSI and EPSU will extend cooperation in trade union training and education projects, including sharing of resource persons, developing joint materials and reciprocal invitations to affiliates of both organisations to seminars and training programmes. Externally-funded projects in the European region will be managed by PSI in coordination with EPSU. EU-funded projects will in principle be managed by EPSU.

VI. Conciliation

28. Both parties agree the importance of maintaining the agreement and good relations between the two organisations and therefore agree to try and resolve any disputes before giving notice of terminating the agreement.
29. It shall be open to either party to raise any issue of legitimate concern arising from the operation of the cooperation agreement under this dispute resolution process. At all stages, the preference will be to resolve issues informally.

Stage 1: Cooperation Committee

- 29.1) The Cooperation Committee will formally review the issue of dispute and see if it is possible to resolve the matter. If agreed between the parties, the Committee may be extended to include other officers to assist with resolving the dispute.

Stage 2: Conciliation and Arbitration

- 29.2) Consideration will be given to jointly inviting a third party to conciliate between the parties, with a view to assisting negotiations to resolve the dispute. Alternatively or, if necessary following conciliation, the parties may agree to arbitration.

VII. Nature of the Agreement

30. The implementation of the agreement will be monitored by the EPSU Executive Committee and the PSI Executive Board. It can be reviewed and, if necessary, amended on the basis of proposals from the PSI Executive Board and/or the EPSU Executive Committee at any time. The agreement can be terminated by either party with a period of notice of twelve months. If notice is given of the agreement being terminated by one of the parties, it shall remain in force as a whole during this period or, if sooner, until a new agreement is concluded that replaces the existing one. The EPSU Executive Committee and PSI Executive Board will consider the development of a new agreement.
31. The authoritative language version of this document is French.

APPENDIX TO THE COOPERATION AGREEMENT: TRANSITIONAL ARRANGEMENTS

I. Staffing, finance and activities

32. For the period 1/1/2010 to 31/12/2012 the following transitional arrangements shall apply:
- 32.1) PSI will create a European programme guarantee fund on its general reserves, equivalent to three years of its annual contribution to EPSU. This fund will be transferred to EPSU on an annual basis, and the exact amount will be based on the audited accounts of the previous year.
- 32.2) Activities to be financed:
- 32.2a) Equivalent to three additional staff at the EPSU Secretariat including an officer who will coordinate activities in Central and Eastern Europe, under the supervision of the EPSU General Secretary and Deputy General Secretary. In accordance with paragraph V (24) of the Agreement, the EPSU General Secretary shall draw up job descriptions as appropriate – the job contents will incorporate the agreed tasks transferred between the two parties. The job descriptions of those posts affected will be forwarded to the PSI General Secretary for comment and joint consideration;
- 32.2b) Four sub-regional offices and staff;
- 32.2c) Four Central and Eastern European (CEE) constituency meetings, on an annual basis;
- 32.2d) European youth activities and structures;

- 32.2e) Specific projects and activities in Central and Eastern Europe;
 - 32.2f) Travel and subsistence of participants from countries below the 100% indexation and not in arrears with their affiliation obligations, for EPSU meetings and conferences; as agreed by the EPSU Executive Committee;
 - 32.2g) Russian as an official EPSU language, and interpretation and translation in other languages, where applicable.
- 32.3) Both parties will agree the arrangements for the transfer of staff contracts as of 1/1/2010. Staff who transfer will do so on the basis of terms and conditions that are no less favourable than their current terms and conditions.

II. Affiliation Fees

33. It is agreed to phase in the appropriate increase in affiliation fees applicable to unions in membership as of 31/5/2009.

For trade unions that are only affiliated to EPSU:

- 33.1) A phasing-in of the additional affiliation fee (related to the work currently being carried out in PSI Europe) shall normally be over a period of three years.

For trade unions that are only affiliated to PSI:

- 33.2) A phasing-in of the additional affiliation fee (related to the work of EPSU) shall normally be over a period of four years.

34. Exceptions to these arrangements will need to be agreed by the Cooperation Committee.

III. Review

35. In 2012, prior to the PSI Congress, there will be a joint review of the Cooperation Agreement which will:
- 35.1) Consider the operation of the transitional arrangements – including the option of mutually agreeing the extension of the arrangements, which will otherwise lapse in accordance with this agreement;
 - 35.2) Consider any changes to the Agreement that might be necessary in the light of experience;
 - 35.3) Review the financial transfer arrangements.
36. The review will be conducted by the Joint Cooperation Committee, with any agreed proposed changes requiring the endorsement of both parties.

Appendix II - Standing orders governing the Congress - § 7.13

Congress Preparation

1. The Executive Committee shall appoint for election / ratification by Congress:
 - the Credentials Committee;
 - the Congress Board;
 - the Standing Orders Committee;
 - the Resolutions Committee;
 - the tellers to check the number of votes.

Resolutions

2. In accordance with articles 7.5, 7.7 b) - c), 7.11 and 7.12 of the Constitution the Executive Committee shall determine the areas on which it wishes to submit policy resolutions and other documents to Congress. It shall set up a Resolutions Committee composed of Executive Committee members from each constituency (1 titular and 1 substitute) or their delegated representatives. The task of the Resolutions Committee is to elaborate draft policy resolutions on behalf of the Executive Committee. It shall advise the Executive Committee on positions to be taken on resolutions and amendments to resolutions received by affiliated organisations. The Resolutions Committee is to be established 18 months before Congress; it shall start its work as soon as possible but no later than one year before the first day of Congress. It continues to function during the Congress.
3. Draft resolutions from affiliated organisations for inclusion in the Congress agenda and amendments to the Constitution must be received in writing by the General Secretary no later than six months prior to the first day of Congress. Copies of valid draft resolutions shall be sent to all affiliates no later than five months prior to the first day of Congress. Amendments to the draft resolutions must be received in writing by the General Secretary no later than four months to the first day of Congress. The Executive Committee, at the advice of the Resolutions Committee, shall make recommendations on how to vote on resolutions and / or amendments received. Finalised draft resolutions shall be sent to Congress delegates not later than two months before the date on which Congress begins.

Nomination of candidates for elected offices

4. The terms of all elected offices will expire at Congress. The affiliates shall nominate candidate(s) for the positions of President, General Secretary and member auditors for election by Congress and communicate the proposals to the Secretariat five months before Congress. Two months before Congress the Executive Committee decides which candidate(s) they will recommend. At this point in time the current holders of the offices referred to will make it known whether they run for re-election.

Composition of Congress

5. Congress shall be composed of:
- a) delegates with voting rights, representing member organisations according to articles 7.4 and 17.4 on the basis of 2 votes for each member union up to x members or part thereof and one additional vote for each further x paid members or part thereof; no trade union may send more delegates than the number of votes to which it is entitled.

*x is calculated as follows: number of paid up members:
number of seats remaining after the allocation of 2 seats
per eligible union.*

The delegation entitlement shall be calculated on the basis of the year with complete affiliation data available that is closest to the deadline for sending the call to Congress. With the exception of unions having joined EPSU within the course of the Congress term, only those unions will be entitled to send delegates that have fulfilled their financial obligations according to paragraphs 17.3, 17.4, 17.5, 17.6, 17.7, 17.12 and 17.13 for each year of the Congress term. The maximum number of delegates is fixed at around 500;

- b) the President and General Secretary of EPSU with a right to speak and vote;
- c) the President and General Secretary of PSI with a right to speak and vote;
- d) representatives of ETUC, other European and international trade union organisations to which the member organisations are affiliated, at the invitation of the Executive Committee;
- e) guests, who may speak at Congress, at the invitation of the Executive Committee;
- f) observers and technical staff from member organisations not exceeding half of the delegation entitlement, observers from non-member organisations, at the invitation of the Executive Committee;
- g) the staff required to assist with Congress' proceedings.

Constitution of Congress

6. At its first session Congress shall elect or ratify :
- Credentials Committee, which is charged with the verification of delegates' credentials. The Committee is authorised to examine whether affiliated organisations fulfil the conditions and obligations laid down in the Constitution. The Credentials Committee is entitled to request from the General Secretary, from members of the Executive Committee and from any delegate in Congress information needed for the discharge of its duties or evidence bearing on the legitimacy of delegates' credentials. The Credentials Committee shall submit a report to Congress establishing the number of male / female delegates registered and voting. If registered delegates are prevented from attending the Congress the delegate's affiliate will advise the General Secretary of the name of the substitute so that a correct delegates list can be approved by the Credentials Committee. Voting or elections shall not take place before Congress has discussed and voted on the initial report and recommendations of the Credentials Committee.
 - Congress Board consisting of four chairpersons (two women / two men). The chairpersons will rotate in the chairing of Congress sessions and ensure the

~~proper conduct of proceedings. They will be assisted by secretaries of records, responsible for taking a record of interventions in favour and against a resolution, registering the majority of votes taken and in case of a vote count, the votes in favour, against and abstentions.~~

- Members of the secretariat and technical advisors as required will support the Congress Board in their work.
- Resolutions Committee, to provide explanations, where required, on the rationale of text proposals and the recommendations for voting.
- Standing Orders Committee, to recommend an order of business and time limits for speakers; examine and report on the validity of all resolutions and amendments received by affiliated organisations and the Executive Committee; advise Congress on any question requiring a decision for the proper conduct of its business.
- Tellers will be elected by the Congress to check the number of votes.

Conduct of Congress

Participation in debates

7. The Congress Board shall be responsible for directing the debates and organising the order of business in accordance with the agreed agenda and time tables. The Board will establish a list of speakers on the basis of requests to speak.
8. Requests to speak must be submitted to the Board in writing, giving the name of the delegates, the organisation and the country represented as well as the subject or the agenda item on which they wish to speak before the start of a particular session
9. With the exception of introductions to reports and resolutions the allocated speaking time for delegates is maximum seven minutes. If it deems necessary for reasons of time the Board can further limit the speaking time or close the list of speakers on a particular item. The Board may interrupt a speaker if he / she exceeds the speaking time agreed or that his / her contribution is considered to be out of order
10. Resolutions and other policy documents for adoption shall be introduced and moved by a member of the Executive Committee. The mover will be entitled to a right of reply for points of clarification.
11. The President and General Secretary of EPSU are authorised to intervene at all times

Voting

12. Unless stipulated differently, a Congress vote requires a quorum of 50 % + 1 of delegates registered and voting.
13. The quorum will be established based on the number of registered delegates at the beginning of Congress and as reported to Congress by a representative of the Credentials Committee. It will be valid for the rest of Congress unless otherwise determined by Congress on the recommendation of the Congress Board.

14. The vote on resolutions will be taken immediately after their discussion unless otherwise determined by the Congress board.
15. Voting in Congress is by show of red voting cards by delegates with voting rights, in accordance with articles 7.4 and 17 of the Constitution. Where electronic voting systems are available, these can be used to ensure expedient and accurate counting.
16. In cases of doubt on the majority reached or the necessary quorum required the tellers shall count the votes. In case of a tie vote the chair shall administer a new vote. If the second vote still results in a tie the draft resolution shall be referred to the Executive Committee for examination and decision.
17. At the request of at least 4 trade unions from 4 different countries, voting by mandate shall take place, with the number of authorised votes being determined in accordance with paragraph 5 a) of the Standing Orders.
18. Any affiliated organisation unable to be represented at Congress may authorise another organisation from the same country (or if not possible in the absence of other affiliated unions, the same constituency) to represent it. Such authorisation is valid on the condition that the EPSU General Secretary is informed of it in writing four weeks before the 1st day of Congress by the organisation giving authority. No organisation may exercise the proxy votes of more than three other organisations.

Emergency Resolutions

19. Emergency resolutions may be submitted on matters on which developments have arisen subsequent to the deadline for submitting proposals. The Standing Orders Committee shall examine whether such resolutions are receivable before being admitted for discussion and vote by Congress.

Points of order and right to speak against

20. Delegates have the right to request a point of order outside the list of registered speakers. A point of order is admitted to propose the close of the list of speakers, to limit speaking time, to make an alternative proposal of handling agenda items, to address the voting procedure. A delegate can only speak once to the point of order with his / her speaking time limited to two minutes. A delegate taking the floor for a point of order is not allowed to speak to the substance of the item under discussion.

Once the point of order is tabled, the Congress Board shall ask whether any delegate wishes to speak against the point of order. A delegate speaking against a point of order is also allowed a speaking time of two minutes.

The point of order shall then be brought to the vote.

Elections of President / General Secretary

Election of President and General Secretary takes place by a secret ballot.

Appendix III - Standing Orders for Executive Committee meetings - § 8.2.n)

Members

1. Each country where EPSU has affiliated organisations (1 member per 400.000 paid members or parts thereof).
2. The President, the Vice Presidents, the General Secretary and the Deputy General Secretary.
3. The PSI President and General Secretary (or their substitutes)
4. Chairs of the EPSU Standing Committees with the right to speak only.

Other representatives

4. One representative of the international affiliate Union Syndicale Fédérale (USF) has a standing invitation to attend as an observer.
5. The EPSU representative in Eurocadres has a standing invitation to attend as an observer.
6. EPSU representatives on ETUC bodies may be invited by the General Secretary.
7. The General Secretary shall decide who from the staff of the Secretariat may attend the meeting.

Guests

8. A standing invitation shall be issued to the General Secretary of the ETUC.
9. The President/Vice Presidents may invite a public figure or a non-affiliated union through the General Secretary.

Advisors

10. Titular members or in their absence substitute members, may be assisted by one technical advisor. The names of such advisors must be registered with the EPSU Secretariat within the meeting registration deadline.

Election of Vice Presidents

In accordance with article 8.2 b), 9.3 and 9.4 of the EPSU Constitution, the Executive Committee shall elect one senior Vice President and 3 Vice Presidents from amongst its members.

Nominations for candidates have to be received by the General Secretary two months before Congress. The Executive Committee decides the nominations no later than six to eight weeks before Congress and informs Congress. The nominations are confirmed by the first Executive Committee immediately following Congress. When a Vice-President steps down from office during the mandate, the Executive Committee will elect a new one. Nominations then have to be received 2 months before for the Executive Committee that will decide.

Speaking rights

11. The following shall have the right to speak:
 - Titular and substitute members
 - Chairs of the Statutory Committees
 - Other representatives (when invited to speak)
 - Invited EPSU representatives on ETUC bodies (when invited to speak)
 - Members of the Secretariat (when invited to speak)
 - Guests (when invited to speak)
 - Mandated representatives in the absence of their titular and substitute members (provided the secretariat is informed)

Voting rights

12. The following shall have the right to vote based on the provision of paragraph 4.3.5. of the EPSU Constitution:

Titular members
Substitute members in the absence of their titular.

Registration

13. Participants will register with Secretariat representatives prior to taking their seats in the meeting room.

Quorum

The quorum will be established 1 hour after the meeting has started and is valid for the duration of the meeting of the Executive Committee.

Voting

14. In accordance with article 8.7 of the Constitution, voting will be by show of cards. If an eligible member of the EC requests a vote, the request to vote will be put to members. If agreed by simple majority of members eligible, a vote on the decision will be taken. Titular members and in their absence substitute members will receive a voting card. A roll call will be held to confirm members eligible to vote.

Interpretation

15. Interpretation as described under article 22.1 of the EPSU Constitution and paragraph 32.2 g of the EPSU – PSI Cooperation Agreement will be organised on the basis of registrations received within the meeting registration deadline.
16. Interpretation as described under article 22.1 of the EPSU Constitution and paragraph 32.2 g of the EPSU – PSI Cooperation Agreement is not guaranteed for participants registering after the deadline.
17. Interpretation as described under article 22.1 of the EPSU Constitution and paragraph 32.2 g of the EPSU – PSI Cooperation Agreement is not guaranteed for participants without speaking rights.

18. When interpretation has been arranged especially for one participant, and he/she is unable to participate in the meeting, the Secretariat must be informed at least 4 weeks prior to the event. The participant's union will have to pay the interpreter's bill if this deadline is not respected. This is not valid in case of illness.

Meeting documents

19. Meeting documents will be made available to titular and substitute members and to participants with the right to speak on the EPSU protected website area.
20. Minutes will at least include:
- List of participants
 - Adopted agenda
 - Speakers in discussions
 - Proposals made and movers
 - Decisions taken (and when relevant, vote count)

Appendix IV – List of Constituencies - § 15.1

Nordic constituency

Denmark, Sweden, Finland, Norway, Iceland

Constituency UK and Ireland

German-speaking constituency

Germany, Switzerland, Austria

Benelux constituency

France, The Netherlands, Belgium, Luxembourg

Russian and Central Asian constituency

Russia, Kazakhstan, Kyrgyzstan, Tajikistan

Central European constituency

Czech Republic, Slovak Republic, Hungary, Slovenia, Croatia, Macedonia, Serbia, Montenegro, Bosnia Herzegovina

North Eastern Europe

Estonia, Latvia, Lithuania, Poland, Armenia, Belarus, Georgia, Ukraine

South Eastern Europe

Romania, Bulgaria, Turkey, Albania, Azerbaijan, Moldova

Mediterranean constituency

Italy, Spain, Portugal, Malta, Greece, Cyprus, Israel

Appendix V - Guidelines for the Standing Committees - § 11.3

1. The Executive Committee may set up Standing Committees, having regard to the EPSU's policy and budget. Only those trade unions having paid their EPSU affiliation fees or entitled by the Executive Committee to a reduction or exemption thereof may have a seat on the Standing Committees. The Executive Committee may also seek other resources.

The Standing Committees: Objectives and Functions

2. A Standing Committee is a body set up for a large group of employees from a specific branch of the public sector. It draws up a programme of activities in keeping with general EPSU policy and with the interests of the employees of the branch for which it was established. This programme must be approved by the Executive Committee. The Committee reports on the activities carried out to the Executive Committee. The Standing Committee advises the Executive Committee on the policies to be adopted with respect to the branch for which it was established. It is authorised to create sub-sections to deal with questions of particular interest to certain groups of employees within the branch for which it was established, subject to the approval of the Executive Committee.
3. The Standing Committee holds a full exchange of information on collective bargaining and agreements, working conditions as well as trade union policies and campaigns concerning the branch for which it was established. This work will be linked and feed into the EPSU-COB@ network.
4. The Standing Committee shall be entrusted with the social dialogue (negotiations with the relevant sectoral employers' organisations at European level) under the direction of the Executive Committee - see article 11.5 of the EPSU Constitution - in the branch for which it was established. Any agreement resulting from the sectoral social dialogue shall be approved by the Standing Committee with full information to the Executive Committee in accordance with section III of the Procedures and Mandates for the Social Dialogue (appendix VII to the Constitution). The Committee shall inform the Executive about developments in the social dialogue.

Composition

5. The Standing Committee is composed of trade union officers belonging to affiliates in the branch for which it was set up, based on one representative per country in which the EPSU has affiliates and one additional member if the country has over 800.000 paying members.
6. During the year following the Congress, the Standing Committee will be reconstituted and shall elect from amongst its number a President and up to three Vice-Presidents with a view of ensuring regional balance. A call for nominations shall be issued with the meeting invitation. If there are more candidates than the number of positions available, a ballot will be taken.
7. The Presidency, together with the EPSU secretariat, shall deal with ongoing business and carry out the activity programme in between Committee meetings. The President shall report to the Executive about the activities and social dialogue conducted.

Secretariat

7. The secretariat of the Standing Committee shall be carried out by the EPSU secretariat or in some other manner to be decided by the Executive Committee.

Appendix VI - Special working groups - § 14.1

1. The Executive Committee may set up one or more special working groups to deal with a specific question. It shall determine the mandate of the group. The working group shall advise the Executive Committee on how to deal with the question. Each year, the Executive Committee shall take a decision on the necessity of maintaining the working group(s).
2. The secretariat of the working group shall be carried out by the EPSU secretariat or under the direction of the EPSU.

Appendix VII - Procedures and Mandates for the Social Dialogue

The following document sets out the procedures to be followed by EPSU to obtain a mandate and decide on agreements in the intersectoral and sectoral social dialogue.

I. Input for Social Dialogue: determination of general EPSU positions.

The positions EPSU takes both in the inter-sectoral and in sectoral Social Dialogue should be based on policies adopted by Congress. Where necessary, policies have to be further developed by the Executive Committee for the intersectoral and the Standing Committees for the sectoral social dialogue.

II. Inter-Sectoral Dialogue

For the purpose of consultation and negotiations laid down in the Social Chapter of the European Treaty, the Executive Committee Members will have the political responsibility for co-ordinating positions with affiliates and Standing Committee Members in EU, EEA and applicant countries.

Information will be sent in the languages available (Commission and/or ETUC) to all affiliates and members of the Executive Committee. EPSU positions in the 1st and 2nd phases of consultation will be in English given the tight deadline.

EPSU will co-ordinate its contributions with ETUC.

1. Consultation and Information Phase

1.1. Start of the consultation process by the European Commission

The Commission sends a paper or proposal regarding social policy to the social partners for consultation in line with social chapter procedures.

Where necessary the EPSU Secretariat will submit a draft proposal on a possible EPSU position, indicating how public service workers and their unions are affected, to all affiliates for information and discussion and to Executive Committee Members for co-ordination among affiliates in the country. On the basis of the comments received, EPSU Secretariat will present a draft paper to the Executive Committee for decision.

The Executive Committee will decide if EPSU should forward the position to the Commission and ETUC within the six-week consultation period.

If a meeting of the Executive Committee is not possible, this will be a written procedure.

Decisions will be communicated to all affiliates and Executive Committee members.

1.2. Second phase of consultation

A similar procedure is followed for the second phase of consultation.

Where necessary the EPSU Secretariat will submit a draft proposal on a possible EPSU position, indicating how public service workers and their unions are affected, to affiliates for information and discussion and to Executive Committee Members for co-ordination among affiliates in the country. On the basis of the comments received, EPSU Secretariat will present a draft paper to the Executive Committee for decision.

The Executive Committee decides if EPSU believes the social policy issue is a subject to negotiate on or not. This will be communicated to all affiliates, Executive Committee members, ETUC and Commission.

ETUC will decide whether or not to negotiate on the issue. If the ETUC decides not to negotiate it, that is the end of the inter-sectoral dialogue process.

The consultation period is also of six weeks.

Decisions will be communicated to affiliates and Executive Committee members.

It is possible that EPSU and/or European public service employers' organisations say that an issue is worthy of negotiation while ETUC, CEEP, Business Europe have said no. In this case see section *III Sectoral Social Dialogue*.

2. Negotiations

The negotiations start if the European inter-sectoral partners (ETUC, Business Europe, CEEP) have agreed to negotiate.

2.1. Determination of the mandate

EPSU will receive a proposal from the ETUC. Where necessary the EPSU Secretariat will comment on the ETUC proposal based on the EPSU position in the first and second phases of consultation.

Executive Committee Members and affiliates will receive all necessary information on ETUC proposals and EPSU Secretariat comments concerning the potential negotiations at least within four weeks before a decision on the mandate is taken in the ETUC Executive Committee.

As the EPSU representatives in the ETUC Executive need to be able to express themselves, EPSU Executive Committee Members (coordinating the input from affiliates) will have to write to the EPSU Secretariat, preferentially in English or in an official EPSU language, indicating their views. On the basis of the replies received, the final position in the ETUC Executive Committee will be determined by the EPSU representatives (titulars and substitutes) in the ETUC Executive Committee.

EPSU will also inform ETUC that it wants to participate in the ETUC negotiating delegation and that it will be represented by the EPSU General Secretary or her / his appointed representative.

2.2. Monitoring of the negotiations

Affiliates, and the Executive Committee will be informed on progress in the negotiations on a regular basis.

In cases of urgency, decisions concerning the mandate or a modification to the mandate may be made in writing allowing for a 4-week consultation period with Members of the Executive Committee. All affiliates will be informed.

If the negotiations lead to a draft agreement, the draft text will be sent to the EPSU affiliates and Executive Committee, in principle 6 weeks before the ETUC Executive Committee takes a decision (allowing for consultation and determining the voting mandate).

III. Sectoral Social Dialogue

The following procedure is applied for the sectoral social dialogue:

1. Initiation of process

EPSU proposes a subject for discussion with sectoral employers or accepts a proposal from sectoral employers. The Standing Committees take the decision based on general adopted EPSU policy and the EPSU programme of priorities. The Standing Committees decide on the issues it wishes to see covered.

2. Nomination of the negotiating team

A negotiating team is nominated for the preparation of a joint position if necessary. It is nominated by the Standing Committee ensuring a proper balance between expertise on the subject, regions, women and men. The team will include a representative of the EPSU secretariat. The EPSU secretariat can draft proposals/responses.

3. Negotiations

During discussions with employers, the negotiating team reports back to the Standing Committee President and Vice-Presidents. The President and Vice-Presidents and the negotiating team decide on when to call for input/decision by members.

4. Sectoral social dialogue committees

The EPSU delegation to the sectoral social dialogue committees will be composed of Members of the relevant Standing Committee including a representative of all EU member states insofar as possible. If a sectoral social dialogue is established in a sector that is not represented in the corresponding Standing Committee, a negotiating group will be established from unions concerned. It will report to the Standing Committee.

All affiliates in the particular sector will be informed and consulted on positions taken in the sectoral social dialogue committees. The Standing Committee will consider the final result of a sectoral negotiation. It will forward a recommendation to adopt or reject for approval by the Executive Committee. In the event of time constraints this can be done through a procedure in writing.

IV. *Decision-making and voting*

1. Voting on the final result of the negotiations (the actual agreement) will take place on the basis of a 2/3 majority of the votes cast by eligible Executive Members. A quorum is set of 50% + 1 of the Executive Committee Titular Members.
2. The same quorum holds for the written procedure (50% plus 1). Titular Executive Committee Members are required to express themselves for the quorum to be reached. The majority is 2/3^{rds} of those who have voted. The written response will still be sent to the Executive Committee.
3. As the agreements only apply to EU and EEA countries Executive Committee Members from these countries are entitled to vote.
4. Abstaining will be interpreted as that the Member is neutral regarding the outcome.
5. It is the responsibility the Executive and Standing Committee members to ensure proper consultation and involvement of all unions within the deadlines.
6. Unions that believe that this process is not respected can address the Executive Committees through the Secretariat.

V. *Interpretation of this document*

In case of questions and circumstances not covered by the procedures and mandates, the Executive Committee agrees that the Secretariat and where proper in consultation with the President/ Vice-Presidents, can interpret the document. The Executive Committee will need to be informed afterwards.

Appendix VIII - Languages § 22

Interpretation

- A) Active (speak and listen) languages for interpretation in EPSU statutory meetings and conferences will be English, French, German, Italian, Spanish, Russian and a Scandinavian language. In constituency-based statutory meetings there should be a degree of flexibility in the choice of active languages.
- B) Efforts will be made to ensure a maximum of passive (speak but not listen) languages and/or other forms of language assistance in EPSU statutory meetings and conferences.
- C) Interpretation will be organised on the basis of registrations received within the meeting registration deadline. Interpretation is not guaranteed for participants without speaking rights. When interpretation has been arranged especially for one participant, and he/she is unable to participate in the meeting, the Secretariat must be informed at least 4 weeks prior to the event. The participant's union will have to pay the interpreter's bill if this deadline is not respected. This not valid in case of emergencies.

Translation

- D) EPSU documents requiring a decision by an EPSU statutory body will be made available in 6 languages: English, French, German, Spanish, Swedish and Russian.
- E) In accordance with article 22 of the EPSU Constitution, the Executive Committee may amend the above provisions.

