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Part 1 Preliminary

1. Name of Union

The name of the Union shall be FIJI TEACHERS UNION

2. Title and Application

- 1. (1) This document shall be cited as the Constitution of the Fiji Teachers Union
 - (2) This Constitution shall commence on a date or dates approved in the Annual General Meeting of the Fiji Teachers Union.
 - (3) This Constitution shall bind all members and officers of the Fiji Teachers Union.

3. Interpretation

(1)

In this Constitution, unless the context otherwise requires the terms listed below shall have the following meanings:

"AGM" shall mean Annual General Meeting

"Constitution" shall mean the Constitution of the Fiji Teachers Union

"District" shall have the same meaning as government districts

"Employed in the Teaching Profession" shall mean a person whose primary form of employment during working is to provide education to students in the primary, secondary and tertiary educational institutions on a full time basis but shall also include persons primarily engaged in the administration of educational imputations and persons employed in the Ministry of Education whose immediate prior employment was either to provide education to students or to administer education institutions.

"EGM" shall mean Extra Ordinary General Meeting

"MABS" shall mean Mutual Aid Benefit Scheme

"Registrar" shall mean the Registrar of Trade Unions

"Secretariat" shall mean the Secretariat of the Fiji Teachers Union

"Teaching profession" shall mean a teacher in full time employment in:

- (a) Preschool or kindergarten
- (b) Primary school
- (c) Secondary school Vocational
- (d) Tertiary institution
- (e) In the Ministry of Education holding positions between an Education Officer to the Permanent Secretary

But shall exclude:

- (a) Persons retired from teaching who are involved with Managing Authorities of schools in any capacity
- (b) Part time teachers of culture and religion who are employed by Managing Authorities of schools and shall include priests and chaplains
- (c) Ancillary staff at educational institutions.

"Union" shall mean Fiji Teachers Union

4. Objectives

The objectives of the Union shall be:

- (a) To secure the complete organization in the Union of all workers employed in the teaching profession;
- (b) To obtain and maintain just and proper salary, hours of work, other conditions of labor and generally to protect the interest of members;
- (c) To manage the relations and to settle disputes between members and employers and between members and other workers, by amicable agreement where ever possible;
- (d) To promote a spirit of mutual respect and understanding between Ministry of Education/ Public Service Commission ; and the Union and to secure the establishment of a recognized and permanent machinery for negotiation with employers.
- (e) To provide for members and in certain circumstances their families, any or all of the following benefits and such others as the Annual or an Extra-Ordinary General Meeting may decide:-
 - (i) Monetary relief as governed by Mutual Aid Benefit Scheme.

- (ii) Death gratuities and funeral expense as governed by Mutual Aid Benefit Scheme
- (iii) Educational fees for employees / special programmes of study to which a member is nominated by Union.
- (iv) Nominal compensation to members for loss arising out of trade disputes.
- Legal advice and legal assistance in so far as the assistance relates to relief available to members under the Employment Relations Promulgation 2007where necessary in connection with employment of members.
- (f) Generally to promote the material, cultural, educational and recreational welfare of members and their families in any lawful manner by the provision of educational facilities, clinics or other undertakings which the Annual or an Extra-Ordinary General Meeting may from time to time deem expedient.
- (g) The furtherance, by financial assistance or otherwise of the work or purpose of any lawful association or trade union federation having for its objects the promotion of the interests of labour, trade unionism of trade unionists.
- (h) To acquire any real or personal property for the purpose of the Union and to sell any other real or personal property as may not be needed by the union and in particular land, buildings and chattels and to borrow or raise money upon the security thereof and to secure the same or the repayment or performance of debt, liability, contract guarantee or other engagement incurred or to be entered into by the Union in relation thereto in such manner as the Union may deem fit and in particular by mortgage, bill of sale or other charge and to redeem or pay off any such securities.

- (i) The establishment, carrying on, or participation, financial or otherwise in the business of the printing or publishing of a newspaper, periodical, bulletin book, pamphlet or other publishing or printed literature in the interests of, and with the main purpose of furthering the lawful interests of the Union or its members.
- (j) The promotion of legislation in the interest of members.
- (k) To maintain and uphold the faith in the Union's motto "The Child Our Hope" and to make concerted effort in the fulfillment of the fundamental aim that is the birthright of every child to receive the fullest and best education.
- To organize, manage and control in co- operation with the Ministry of education and the School Management Committees such extra – curricular activities as refresher courses for teachers, education day for schools and sports among school children.

5. Constitution to be the Supreme Authority

The Constitution shall be the supreme governing rules of the Union.

6. Union is a Body Corporate

The Union shall be a registered trade union pursuant to the ERP and any successor legislation and shall be capable of entering into contracts, suing or being sued in its own name, shall have the power to acquire, hold real and personal property.

7. Registered Office

 The registered office of the Union shall be at 1-3 Berry Road, Suva or such other places as decided upon the Executive Committee subject to the approval of the Annual General Meeting of the Union. The registered postage address of the Union shall be Post Office Box No. 2203, Government Buildings Suva, Fiji.

8. Union to Be Registered and Maintain Registration

The Union shall be registered with the Registrar of Trade Unions and shall do all reasonable things to maintain such registration.

Part II Membership

9. Eligibility

Membership shall be open to any person ordinarily resident in Fiji employed in the teaching profession.

10. Application

- A person may apply for membership by completing a Membership Application form approved by the Executive Committee from time to time together with any necessary documents and/or information required by the said form.
- 2) The completed Membership Application form must be submitted to the General Secretary in any of the following forms:
 - (a) By personal delivery to the registered office of the Union.
 - (b) By sending the Membership Application form to the General Secretary via registered post.
 - (c) Electronic means provided for on the Union website.

11. Approval

- 1) The General Secretary shall vet and approve any application for membership provided:
 - (a) The Membership Application Form is properly completed
 - (b) The applicant provides all the requested documents and/or information

(c) The applicant meets the eligibility criteria.

- 2) Upon the approval of the membership, the Union shall notify the member of such an approval.
- 3) The General Secretary shall have the power to request any additional information and/or documents from any applicant that the General Secretary deems necessary for the purposes of processing any application for membership.

12. Branch Affiliation

Members of the Union shall become affiliated to the branch of the Union either in their area of service or residence during the working week.

13. Honorary Members

- 1) Members retiring from the teaching profession and no longer permanently employed in the teaching profession, may subject to the decision of the Executive Committee, be remain honorary members of the Union.
- 2) Honorary members shall not be entitled to:
 - (a) vote in any elections of the Union including branch elections;
 - (b) vote in any matter being decided in the AGM or the EGM of the Union including branch AGM or EGM;
 - (c) contest any elections of the Union including branch elections unless expressly permitted by Part V of the Constitution; or
 - (d) bring any motion of no confidence against any elected or appointed officer of the Union including officers of the branch.
 - (e) To become Branch Delegates for the purposes of the AGM or the EGM.
- 3) The Honorary members shall be entitled to participate in the benefits provided by the Union upon payment of full Mutual Aid Benefit Scheme contribution per annum.

14. Alternate Profession – Permanent

Members of the Union leaving the teaching profession for any reason and being permanently employed in a different undertaking, industry, occupation, trade or profession from those with which the Union is concerned with, shall be deemed to have resigned from the Union at the date of the cessation of the employment in the teaching profession.

15. Alternate Profession – Temporary

- Unemployed members of the Union finding temporary work in a different undertaking, industry, occupation, trade or profession from those with which the Union is concerned with shall be permitted to retain their membership up to a maximum period of six months after securing such temporary work.
- 2) In the event that the member is unable to secure permanent employment in the teaching profession within the 6 months permitted, the member shall be deemed to have resigned from the Union.

16. Member Subscription

- (a) The fortnightly membership subscription of the Union shall be \$7.00which shall be payable by all members.
 (b) A further \$13.46 per fortnight shall be payable by single members and \$17.46 shall be payable by one spouse of each married couple to meet the cost of the Self Funding Medical Insurance Scheme.
- 2) \$3.68 from the fortnightly membership subscription shall go towards the Mutual Aid Benefit Scheme or any other scheme or purpose as decided by the AGM or the EGM of the Union.
- 3) The fortnightly membership subscription and Self Funding Medical Insurance Levy may be changed from time to time as decided by the AGM or the EGM of the Union.

4) Honorary members shall pay \$96.00 or any other sum decided by the AGM or the EGM from time to time.

17. Arrears of Subscription

- 1) Members who are more than 13 weeks in arrears of subscription shall not be entitled to any Union benefits and shall not be permitted to vote at any Union Meetings.
- 2) Members whose subscriptions are more than twelve months in arrears shall be deemed to have resigned from the Union.

18. Mutual Aid Benefit Scheme

The purpose of the MABS is to assist the members and their families with medical benefits as stipulated in the MABS as per terms and conditions.

19. Retirement of Members

Members retiring from the teaching profession shall be deemed to have resigned from the Union unless such members become honorary members within 30 days of the retirement of the members.

Part III General Meetings

20. Annual General Meetings

The Annual General Meeting shall be held in the First Term school vacation every year at a time and place to be decided by the Executive Committee or as decided by Executive Committee based on circumstance of national significance.

21. Notice of AGM

- 1) The General Secretary of the Union shall notify the members of the Union of the date, time and venue of the AGM of the Union as decided by the Executive Committee in the following manner:
 - (a) by notice to the branches of the Union who in turn shall notify its members; and
 - (b) by publishing a notice of the AGM including the date, time and venue of the AGM in a daily newspaper at least 14 days prior to the AGM.

22. Business of AGM

- 1) The business of the Annual General Meeting shall be to:
 - (a) receive reports from the Executive Committee;
 - (b) review the past work of the Union, and to plan future policy;
 - (c) receive the audited accounts for the previous financial year and to consider the financial position of the Union; and
 - (d) consider any other business.

23. Resolutions

- 1) Resolution from Branches are to be submitted through the Branches to the Secretariat 21 days before the AGM.
- 2) Members who are not eligible to be affiliated to a branch by the reason of their area of service or residence during the working days being outside a district where the Union has a branch may submit their resolutions to the Secretariat.
- 3) Save for resolutions submitted to the Secretariat 21 days before the AGM, the AGM shall only consider resolutions put forward to it by the Executive Committee.

24. Agenda

The General Secretary, on the instructions of the Executive Committee, shall prepare an agenda for the AGM or for an EGM and shall publish such agenda by including such an agenda with the notice of the AGM or EGM in at least one newspaper circulating in Fiji not less than 14 days before the AGM or EGM.

25. Extra-Ordinary General Meeting

The EGM may be called by the Executive Committee or at the request of two thirds or more of the total number of members of the Union.

26. Notice of EGM

- 1) The General Secretary of the Union shall notify the members of the Union of the date, time and venue of the EGM of the Union as decided by the Executive Committee in the following manner:
 - (a) by notice to the branches of the Union who in turn shall notify its members; and
 - (b) by publishing a notice of the EGM including the date, time and venue and business of the EGM in a daily newspaper at least 14 days prior to the EGM.

27. Business of EGM

The EGM shall be restricted to the matters contained in the agenda of the EGM.

28. Resolutions of the EGM

The resolutions passed at the EGM shall have the same validity as the resolutions passed in the AGM.

- 29. Attendance & Quorum of General Meetings
- 1) Quorum for the AGM and EGM shall be at least 75% of the total Union delegates.
- 2) Save for the decisions regarding any changes of the Union, or the amalgamation with another Union, all decisions taken by the AGM shall be valid if passed by majority vote of all delegates present.
- 30. Voting

- 1) Save for matters expressly stated to be decided by secret ballot voting shall be by show of hands.
- 2) Matters may be decided by secret ballot should 50% or more of the Union delegates seek a secret ballot.
- 3) Only Branch Delegates shall be entitled to vote in the AGM or the EGM.

31. Secret Ballot

- 1) All decisions in respect of the following matters shall be taken by secret ballot:
 - (a) Election or dismissal of Officers of the Union including Branch Officers of the Union;
 - (b) Election or dismissal of the members Executive Committee;
 - (c) Imposition of levies;
 - (d) Amendment of the Constitution of the Union;
 - (e) Amalgamation of the Union with another trade union;
 - (f) The federation of the Union with any other trade union or with a trade union federation;
 - (g) All matters relating to strike and lockouts; and
 - (h) Dissolution of the Union.

32. Branch Delegates

1) Branch delegates shall be representatives of the members of the Branch and shall have the power to attend the AGM and the EGM on behalf of the members of Union from a particular branch and shall represent the members of a particular branch in matters before the AGM or the EGM.

- 2) A Branch shall have the powers to vote for matters capable of being voted on at the AGM or the EGM.
- 3) A Branch shall be entitled to have 1 Branch Delegate for every 10 members of the Union registered in a particular branch. Honorary members shall not be included as members of the Union for the purpose of determining the number of Branch Delegates that a Branch may appoint.
- 4) Branch Delegates shall be appointed by the Branch Executive Committee of the respective Branch prior to each AGM or EGM.
- 5) The Branch Secretary shall notify all members of a Branch of any Branch Delegate being contemplated and seek from the members expressions of interest to be appointed Branch Delegates for the AGM or the EGM as the case may be.
- 6) The Branch Executive Committee shall make the appointment of the Branch Delegates from the list of members who have expressed an interest to be a Branch Delegate.
- 7) In the event the list of members expressing an interest to be a Branch Delegate is below the number of Branch Delegates that Branch is entitled to, the Branch Executive Committee may appoint members of the Branch Executive Committee failing which the Branch Executive Committee may appoint member of the Union who are not in the Branch Executive Committee. (who have not already been appointed as Branch Delegates) as Branch Delegates.
- 8) Honorary members shall not be appointed as Branch Delegates for any Branch.
- 9) Upon the appointment but at least 7 days prior to the AGM or the EMG, the Branch Secretary must forward to the Secretariat a list of Branch Delegates for each AGM or EGM. Failure to submit a list of Branch Delegates to the Secretariat may result in the Executive Committee disqualifying a Branch and its Branch Delegates from voting at the AGM or the EGM. In the event of withdrawal by a registered delegate, the branch will appoint replacements and advice the secretariat.

Part IV Governing of the Union

Division I Executive Committee

33. Establishment of the Executive Committee

There shall be an Executive Committee of the Union which shall be established and shall function in accordance with this Part of the Constitution.

34. Functions of the Executive Committee

The Executive Committee shall govern the Union and conduct the affairs of the Union between the periods between the AGM's.

35. Composition of the Executive Committee

- 1) The Executive Committee shall be comprised of the following:
 - (a) The President
 - (b) The 2 Vice Presidents
 - (c) The General Secretary
 - (d) The Assistant General Secretary
 - (e) The General Treasurer
 - (f) The Personnel Officer
 - (g) The Publicity Officer
 - (h) 3 members elected in the Union elections
 - (i) 1 representative from each branch of the Union

36. Meetings

The Executive Committee shall meet at least once every 3 months.

37. Quorum

The quorum for the Executive Committee meetings shall be 50% of the members of the Executive Committee.

38. Appointment to Executive Committee

In the event of a vacancy occurring on the Executive Committee caused by the office remaining unfilled at an election or by death, resignation, or dismissal of any member of the Executive Committee between two Annual General meetings or when, during such period, any member is unavoidably absent from Fiji and such absence is likely to extend for a longer period than three months, the vacancy shall be filled by appointment by a majority decision of the Executive Committee pursuant to Section 87.

39. Subcommittees

- 1) The Executive Committee may appoint subcommittees from time to time to assist the Executive Committee in carrying out its functions.
- 2) The Executive Committee may make rules for any subcommittee and provide members of the subcommittee the terms of reference of such subcommittee.
- 3) The subcommittee shall not have powers to make any decisions for or on behalf of the Executive Committee unless such powers have been granted to it by the Executive Committee.
- 4) The subcommittees may make recommendations to the Executive Committee which shall not be binding on the Executive Committee.

40. Powers of the Executive Committee

- 1) The Executive Committee shall have the following powers:
 - (a) to protect the funds of the Union against misappropriation or extravagance;
 - (b) to give all necessary instructions as to the investment of the funds of the Union to such officers of the Union as are responsible for such matters;
 - (c) to appoint staff for the operations of the Union;

- (d) to appoint subcommittees for assistance to the Executive Committee in the management and administration of the Union;
- (e) to conduct disciplinary proceedings against members of the Union
- (f) to interpret the Constitution and the rules of the Union between AGM's and EGM's.

41. Decisions of Executive Committee

The decisions of the Executive Committee shall be binding on all members of the Union.

42. Subscription of Executive Committee Members

All officers and members of the Executive Committee must have fully paid subscriptions.

Division II Working Committee

43. Establishment of the Working Committee

A Working Committee shall be established by the Executive Committee at the Post Conference Meeting of the Executive Committee after the AGM of the Union.

44. Function of the Working Committee

The Working Committee shall have functions in the administration and operations as assigned to it from time to time by the Executive Committee.

45. Composition of the Working Committee

The Working Committee shall comprise of elected members residing in the Suva and neighboring branches.

46. Eligibility

Members of the Executive Committee shall be eligible for the appointment to the Working Committee.

47. Meetings

The Working Committee shall meet at least once every month.

48. Quorum

The quorum for the Working Committee shall be 50% of the members of the Working Committee.

49. Powers of the Working Committee

The Working Committee shall have the powers delegated to it by the Executive Committee and shall also have powers to make recommendations to the Executive Committee. Any such recommendation shall not be binding on the Executive Committee.

50. Decisions of Working Committee

All decisions of the Working Committee shall be subject to ratification by the Executive Committee.

Division III Disciplinary Committee

51. Establishment of the Disciplinary Committee

A Disciplinary Committee shall be established by the Executive Committee at the Post Conference Meeting of the Executive Committee after the AGM of the Union.

52. Functions of the Disciplinary Committee Committee

The Disciplinary Committee shall have functions in regards to the disciplining of the members of the Union

53. Composition of the Disciplinary Committee

The Disciplinary Committee shall comprise of a minimum of 3 members and a maximum of 5 members and at least one of one of whom shall be a Principal Officer.

54. Eligibility

Members of the Executive Committee shall be eligible for appointment to the Disciplinary Committee.

55. Meetings

The Disciplinary Committee shall conduct disciplinary action against members of the Union upon direction by the Executive Committee.

56. Appointment to Disciplinary Committee

Members of the Disciplinary Committee shall be appointed by the Executive Committee.

57. Vacancies

In the event of any vacancy in the Disciplinary Committee or in the event that the number of members of the Disciplinary Committee falls below the minimum required number, the Executive Committee may appoint a member of the Executive Committee to the Disciplinary Committee.

58. Powers of the Disciplinary Committee

The Disciplinary Committee shall have the powers delegated to it by the Executive Committee and shall also have powers to investigate complaints and conduct disciplinary proceedings against members.

59. Decisions of Disciplinary Committee

All decisions of the Disciplinary Committee shall be subject to ratification by the Executive Committee.

- 60. Rules of the Disciplinary Committee
- 1) The Disciplinary Committee shall make rules in respect of the investigation and the disciplinary process from time to time and such rules shall comply with the Employment Relations Promulgation 2007 and adhere to the principles of fairness and natural justice.
- 2) The Disciplinary Proceedings Rules shall be made available to the members of the Union subjected to an investigation or a disciplinary hearing.

Division IV Finance Committee

61. Establishment of the Finance Committee

A Finance Committee shall be established by the Working Committee at the first Post Conference Meeting of the Working Committee.

62. Function of the Finance Committee

The functions of the Finance Committee shall be to:

- a. Scrutinize validity of all payments prior to sanctioning.
- b. Scrutinize all receipts and deposits on weekly basis.
- c. Scrutinize purchase/quotations and recommend the most appropriate to the Working Committee.
- d. Scrutinize monthly accounts and submit to Working Committee for endorsement.

- e. Ensure quarterly audit and provide Working Committee a Report.
- f. Provide advise and recommendations to Working Committee on sound financial management procedures.

63. Composition of the Finance Committee

The Finance Committee shall comprise of the General Treasurer and 2 members of the Working Committee.

64. Eligibility

Members of the Working Committee shall be eligible for the appointment to the Finance Committee.

65. Meetings

The Finance Committee shall meet <u>atleast</u> once a week.

66. Quorum

The quorum for the Finance Committee shall be2 members.

67. Appointment to the Finance Committee

Any member of the Finance Committee appointed by the Working Committee must be a member of the Working Committee.

68. Vacancies

In the event of any vacancy in the Finance Committee or in the event that the number of members of the Finance Committee falls below the minimum required number, the Working Committee may appoint a member of the Working Committee to the Finance Committee.

69. Powers of the Finance Committee

The Finance Committee shall have the powers delegated to it by the Working Committee and shall also have powers to approve routine payments.

70. Decisions of the Finance Committee

The Finance Committee shall at all times be accountable to the Working Committee.

Part V Officers of the Union

Division I Appointment of Officers

71. Election of Officers

The Officers of the Union except for a duly appointed representative from each of the Branches and the Branch delegates shall be elected in the manner prescribed herein.

- **72.** Contestable Positions
- 1) The following shall be the positions which may be contested during elections:
 - a) 1 President
 - b) 2 Vice Presidents
 - c) 1 General Secretary
 - d) 1 Assistant General Secretary
 - e) 1 General Treasurer
 - f) 1 Publicity Officer
 - g) 1 Personnel Officer
 - h) 3 Executive Committee Members

- 73. Eligibility for Election
- 1) Persons must fulfill the following criteria in order to be eligible to be for election as an officer of the Union including branch positions:
 - (a) Be a member of the Union with membership subscriptions fully paid;
 - (b) Be engaged in the teaching profession for no less than 6 months;
 - (c) Not be disqualified to contest an election under section 127 of Employment Relations Promulgation 2007
- 2) The position of the General Secretary and the General Treasurer may be contested by a person outside the teaching profession pursuant to section 127(2) of the Employment Relations Promulgation.
- 3) Save the position of General Secretary and the General Treasurer, honorary members shall not be entitled to contest the Union elections.
- 4) Nominees for the position of the General Secretary must meet the following criteria to be eligible to contest the post of the General Secretary:
 - (a) Sound administrative and trade union background and a good working understanding of labour legislation for a minimum of 5 years.
 - (b) Have sufficient and proven advocacy skills and experience to represent the Union in negotiations, trade dispute settlement, collective bargaining, Employment Tribunal and any arbitration proceedings.
 - (c) Shall not be convicted of any fraud, financial crime.
 - (d) Shall not be declared a bankrupt or have had any receiving order made against the nominee.
 - (e) Have a sufficiently high standard of literacy so as to enable the nominee to perform the duties of the General Secretary, if elected, effectively.

74. Nominations

Nominations for the position of the Officers of the Union shall be made on the prescribed from (Appendix 2 Form b) and must be delivered to the registered office of the Union by the date fixed by the Executive Committee for receipts of nominations.

75. Election Dates

- 1) The Executive Committee shall decide the date, time and venue for the elections at which members of the Branches shall cast their votes. Provided, however, the Executive Committee may in its discretion, having regard to transport, geographical or other problems faced by a Branch, decide that elections may take place at one or more places within the Branch.
- 2) At the time of fixing of the said dates, the Executive Committee shall be entitled to give any direction as to the elections and to appoint scrutineers generally but shall attempt as far as possible to hold all the elections throughout Fiji at the same time.

76. Voting

- 1) All members other than honorary members, whose subscriptions are not more than thirteen (13) weeks in arrears, shall be entitled to vote in the elections.
- 2) Members of the union must vote at the venues in their respective branches unless prior written approval has been granted by the General Secretary for the member to vote at the venue other then the nominated branch venue.
- 3) Members who have been granted approval to vote at the venue outside the members respective branch must present to the voting venue the member is voting at, the written authorization by the General Secretary in order to be permitted to vote at such a venue.

77. Secret Ballot

Voting shall be conducted by way of secret ballot.

78. Preparation of Ballot Forms

Immediately after the close of nominations, the Working Committee shall meet and cause proper ballot forms to be prepared and the General Treasurer shall send adequate ballot forms to the Branches.

79. Issue of Ballot Forms

The Treasurer of a Branch or other Officers appointed by the Executive Committee of the Branch shall be responsible for issuing ballot forms. Only one set of ballot forms shall be issued to each member.

80. Completion of Ballot Forms

- All ballot forms must be filled in the place provided and each member shall signify his/her approval of the candidates by placing a tick in the spaces provided. No member shall sign the ballot forms. The member shall then place the ballot forms in the sealed ballot box for the purpose.
- 2) The Branch Executive Committee shall appoint persons to safeguard the ballot boxes.

81. Scrutineers

Each Branch shall appoint two or more scrutineers per each polling station who shall be responsible for opening the ballot boxes and counting and checking ballot forms and to ensure that only eligible members have each been issued with the required number of ballot forms.

82. Counting

Immediately after the close of voting, the scrutineers shall count the ballot forms and sign a return of the result of the elections at the Branch level and shall forthwith submit the same to the General Secretary. The scrutineers shall also inform the Chief Scrutineer of the results of the election via a telephone call or facsimile.

83. Declaration of Results

The results of the elections shall be announced by the scrutineers to the members at Branch and the Returning Officer at Union headquarters.

84. Appointment

The elected officers of the Union shall be installed at the conclusion of the AGM of the Union.

85. Term of Officers

Officers of the Union shall be elected for a term of 2 years and shall be eligible for re-election.

86. Effect of Retirement of Officers

- 1) In the event of the retirement of an officer of the Union from the teaching profession and the subsequent failure of the officer of the Union to find alternate employment in the teaching profession within the permitted 6 week period, the officer of the Union shall be deemed to have resigned as the position of the Officer at the end of the 6 week period.
- 2) This section shall not apply to the General Secretary and the General Treasurer.

87. Vacancies

In the event of a vacancy in Union, the Executive Committee may appoint a member of the Executive Committee to the position for the remainder of the term of the office.

Division II Powers & Duties of Union Officers

88. President

The President with the assistance of the General Secretary and General Treasurer shall:

- (a) oversee the general administration of the affairs of the Union;
- (b) endeavor to secure the observance of the Union's rules by all concerned;
- (c) preside at all Annual and Extra- Ordinary General Meetings and Executive Committee meetings and shall be responsible for the proper conduct of business; and
- (d) sign the minutes of each meeting after they are approved.

89. Vice Presidents

The duties of the Vice Presidents shall be defined by the Executive Committee from time to time.

In the absence of the President one of the Vice Presidents upon appointment by the Executive Committee shall deputise for the President until such time as the President returns or the Executive Committee appoints a new President.

90. General Secretary

- 1) The General Secretary shall:
 - (a) conduct the business of the Union in accordance with the Union Constitution and rules;
 - (b) shall carry out all instructions of the AGM or the EGM and by the Executive and the Working Committee;
 - (c) attend all meetings of the Union and the Committees and shall record the minutes;

- (d) prepare the Annual Report and any other reports necessary for EGM and by the Executive and Working Committee or as may be required by the Employment Relations Promulgations 2007 and any relevant law;
- (e) provide to the Registrar annual returns of the Union on or before 30 September each year pursuant to section129(1) of the Employment Relations Promulgations 2007;
- (f) provide to the Registrar on or before 30 April of each year a list of the officers of the Union, a copy of any amendment to the Constitution or rules of the Union and any new rules made by the Union in the previous year pursuant to section 129(3) of the Employment Relations Promulgations 2007;
- (g) keep a register of all members; and
- (h) in conjunction with the General Treasurer sign cheques on behalf of the Union.
- (i) Issue press statements and media releases on behalf of the Union.
- The Executive Committee may add an additional term not exceeding
 2 years to each of the General Secretary's elected terms.

91. Assistant General Secretary

- 1) The Assistant General Secretary shall provide the General Secretary all the necessary assistance required by the General Secretary to carry out the duties of the General Secretary.
- In the absence of the General Secretary the Assistant General Secretary shall deputise the General Secretary until such time the General Secretary returns.

92. General Treasurer

The General Treasurer shall:

- a) be responsible for the safety of all transactions conducted in the name of the Union;
- b) prepare a financial statement for each meeting of the National Executive Committee and an Annual Statement of Accounts for Audit for presentation to the AGM;
- c) In conjunction with the General Secretary sign cheques on behalf of the Union; and
- d) deposit in the bank appointed by the Executive Committee all sums over one hundred (\$100) retaining the remainder in a safe place.
- e) The General Treasurer's position shall be honorary.

93. Personnel Officer

The Personnel Officer together with the General Secretary shall represent the Union at Central Staff Board where possible.

94. Publicity Officer

The Publicity Officer shall be in charge of all publicity given in respect of the Union and shall be responsible for any publication in accordance with the objects of the Union as contained in clause 3(i).

95. Salary – Full Time Officers

Any officer providing services to the Union on a full time basis may be paid a salary which shall be determined by the Executive Committee from time to time.

Part VI Branches

- Division 1 Establishment of Branches
- 96. Establishment of Branches

- 1) The AGM shall determine the places at which the Union's branches shall be established.
- 2) Only one Branch may be established in any one place.

97. Branch Committees

Each Branch shall be governed by a Branch Committee consisting of the Branch Chairperson, the Branch Secretary, the Branch Assistant Secretary, two Branch Vice – Chairpersons, Branch Treasurer together with three Branch Executive Committee members. The AGM of the Branch to be held during the month of March .All members of the Branch Committee shall be voting members of the Union.

98. Branch Committee Meetings

The Branch Committee shall meet no less than 4 times in each year.

99. Branch Committee Quorum

At least 50% of the members of the Branch Committee shall form a quorum.

100. Branch Annual General Meetings

- 1) A Branch AGM shall be held in the month of March of each year.
- 2) The Branch Executive Committee shall decide the date, time and venue of the Branch AGM.

101. Notice of Branch Annual General Meeting

- A notice of the Branch AGM together with a copy of agenda of such meeting shall be circulated to all members of the Branch at least seven (7) days prior to the holding of the Branch AGM.
- 2) The notice of the Branch AGM shall also be published in a daily newspaper at least 7 days before the Branch AGM.

102. Failure to Hold an Annual General Meeting

- Where a Branch fails to hold its AGM in accordance with Rules within this Division, the Branch shall be deemed to be dissolved as of 1st April of that year.
- 2) The Working Committee of the Union shall determine the nature of the re- organization of the Branch.
- 3) The General Secretary shall administer the Branch until such time the Branch is reorganized and fresh Branch elections held.

103. Branch Extra Ordinary General Meeting

An EGM of the Branch may be called by the Branch Committee or at the request of two thirds or more of the total number of members of the Branch.

104. Notice of EGM

A notice of the Branch EGM together with a copy of agenda of such meeting shall be circulated to all members of the Branch at least seven (7) days prior to the holding of the Branch EGM.

The notice of the Branch EGM shall also be published in a daily newspaper at least 7 days before the Branch EGM.

105. Discussions at the Branch Extra Ordinary General Meeting

Discussions at an EGM shall be limited to those matters contained in the agenda and decisions reached thereat shall have the same validity as decisions reached by the Branch AGM.

106. Voting at Branch AGM

 All members other than honorary members, whose subscriptions are not more than thirteen 13 weeks in arrears, shall be entitled to vote at the AGM or EGM of their Branch.

107. Quorum of Branch General Meetings

The quorum for Branch general meetings shall be at least 20% of the voting members of the Branch.

108. Suspension of Branch

An AGM or EGM of the Union may suspend any Branch for refusal to carry out rules or decisions of the AGM or EGM or a decision of the Union's Executive Committee.

109. Funds of Branch

The funds of every Branch shall be the common property of the Union and all money, books and other property of the Union held by any Branch which is dissolved shall be sent to the registered office of the Union immediately on such dissolution, together with a detailed statement of receipts and expenditure of the current year prepared by the Treasurer of the Branch.

Division II Election of Branch Officers

110. Election of Branch Officers

Branch Officers shall be elected for a term of 1 year, from AGM to AGM. Secret Ballot for the election of Branch Officers will be held in the manner described in Part V, however, the provisions that in so far as they may be applicable the functions of the Executive Committee and the General Secretary set therein shall be carried out by the Branch Committee and the Branch Secretary, respectively.

111. Replacement of Branch Committee Members

In the event of the death, resignation, dismissal or transfer of any member of the Branch Committee between two Branch AGM's or when during such period, any Member is unavoidably absent from the Branch and such absence is likely to extend for a longer period than three months the vacancy shall be filled by the majority decision of the Branch Committee.

112. Appointment of Branch Council Delegates

Each Branch shall be entitled to select delegates to attend the AGM meeting on the basis of one (1) delegate for ten (10) voting members of the Branch.

113. Branch Representative

- Each established Branch of the Union shall have one representative duly elected at the Annual General Meeting of the Branch as a member on National Executive Committee.
- 2) In the event of the elected representative of a Branch being unable to attend a meeting of the Executive Committee such a Branch may send a substitute who must be a member of the Branch Executive Committee, and who must submit to the Chairman of the meeting an authority duly signed by the Chairman or the Secretary of such branch.
- 3) In the event of the representative of any Branch failing to attend three consecutive meetings of the Executive Committee, such a representative shall cease to be a member of the Executive Committee. The Branch shall then elect another representative and inform the secretariat of Union

114. Branch Chairperson

- 1) The Chairperson shall:
 - (a) preside over all business meetings of the Branch;
 - (b) sign all minutes;
 - (c) supervise the working of the Branch and its officers;
 - (d) have the right to inspect all Branch papers and book

(e) have the power to order a special meeting of the Branch Committee to be called as and when considered to be necessary.

115. Branch Vice Chairpersons

The Vice Chairpersons shall have powers as defined by the Branch Committee.

In the absence of the Branch Chairperson, one of the Vice Chairpersons appointed by the Branch Committee shall deputise for the Chairperson until such time as the Chairman returns or clause 113 becomes applicable.

116. Branch Secretary

- 1) The Branch Secretary shall:
 - (a) conduct the business of the Branch in accordance with the rules and the Constitution of the Union;
 - (b) carry out the instructions of the branch committee;
 - (c) keep a register of the names and addresses of all Branch members;
 - (d) summon and attend to branch meetings;
 - (e) shall attend to all complaints from individual members of the Branch, and submit their cases to the General Secretary of the Union for further action if required; and
 - (f) be responsible for the safeguarding of all records contained in the personal files of members of the Branch and shall regard the information contained therein as being held in confidence.
 - (g) Keep a record of all proceedings of all Branch meetings.

117. Branch Assistant Secretary

- 1) The Branch Assistant Secretary shall:
 - (a) assist the Branch Secretary in carrying out his/her duties;
 - (b) act as the Publicity Officer of the Branch, working closely with the Union's Publicity Officer in all matters relating to publicity work in the Branch;
 - (c) deputise the Branch Secretary in the latter's absence.

118. Branch Treasurer

- 1) The Branch Treasurer shall:
 - (a) in conjunction with the Branch Secretary be responsible for the collection of all contributions and subscriptions from cash-paying members;
 - (b) be responsible for the safely of all monies and property of the Union placed in his/her care or control;
 - (c) keep full and accurate accounts of all transactions conducted by the Branch in the name of the Union;
 - (d) prepare a financial statement for each AGM of the Branch and at any time may be required by the Branch Committee.
 - (e) Prepare and submit quarterly financial reports to the Branch Executive Committee and Executive Committee.

Part VII Removal of Officers

- 119. Motion of No Confidence
- 1) All motions of non- confidence in, or removal of any office bearer of the Union or a Branch shall not be entertained by the person presiding at any meetings, unless;
 - (a) At least 21 days written notice of the motion has been provided to the General Secretary
 - (b) At least 14 days written notice of the motion has been provided to the Branches of the Union; and

- (c) at least 14 days written notice of the motion has been provided to the officer against who the motion is directed against.
- 2) No such motions shall be declared to have been passed by any meeting unless it shall have been supported by votes of least two-thirds of all the persons entitled to vote at such a meeting.

120. Persons Entitled to Bring Motions

A motion of no confidence may only be brought against an Officer of the Union by a Branch where the Branch has obtained the written approval of the motion by at least 50% of the members of the Branch entitled to vote.

A motion of no confidence may only be brought against a Branch Officer by a member of the Branch upon obtaining written approval of at least 20% of the members of the Branch entitled to vote.

Part VIII Disciplinary Matters

- **121.** Members Breaking Union Rules
- 1) All members must abide by the provisions of the Constitution, all rules of the Union, decisions of the Executive Committee , decisions of the AGM or the EGM.s of the Union.
- Any member breaking the rules may be liable to a fine <u>not</u> <u>exceeding one hundred and fifty dollars (\$150</u>), suspension or expulsion by the Disciplinary Committee.
- 3) Any member fined, suspended or expelled shall have the right to appeal to the Annual General meeting whose decision shall be final.

122. Penalty

- 1) If any member is proved, to the satisfaction of the Disciplinary Committee to have been guilty of conduct prejudicial to the interests of the Union or to be in breach of clause 123 of the Constitution, the Disciplinary Committee may:
 - (a) fine such a member a sum not exceeding one hundred fifty dollars (\$150) and/or.
 - (b) suspend such a member from the Union for a period not exceeding twelve months, or
 - (c) **expel such a member from the Union.**
 - 2) Failure of a member to pay any fine levied against the said member within 21 days shall result in the expulsion of the member from the Union. Such an expulsion shall be without a right of appeal.

Part IX Disputes

123. Notification of Grievance or Dispute to Executive Committee

In the event of any trade dispute arising between members and their employers, the members concerned shall make the same known to the Branch Secretary who shall immediately report the issue in dispute to the General Secretary or the Secretariat who shall attend to all grievances.

In the instance of urgent matters, affected members may directly report their grievance to the General Secretary or the Secretariat and inform their respective Branch Secretary of this.

124. Compliance with Employment Relations Promulgation 2007

The Union shall at all times comply with the Employment Relations Promulgation 2007 in the pursuance of the settlement of any dispute or grievance of the Union or its members.

125. Use of Dispute Resolution Remedies in the Employment Relations Promulgation 2007

The Union shall be entitled to seek all remedies available to the Union and its members under the Employment Relations Promulgation 2007 in pursuance of any grievance of the members or the Union and the settlement of any trade dispute.

Part X Use of Funds

126. Use of Funds

1) The funds of the Union shall be solely for the payment of:

- (a) salaries, allowances and expenses of officers of the Union;
- (b) expenses for the administration of the Union including audit of the accounts of the funds of Union;
- (c) charges arising out of prosecution or defence of any legal proceedings to which the Union or any member is a party, when such prosecution or defence is undertaken for the purpose of securing or protecting any rights of the Union as such or any rights of any member with his employer;
- (d) expenses incurred through conduct of trade disputes on behalf of the Union or any member;
- (e) allowance to members or their dependents on account of death, retirement or sickness as stipulated in the condition of Mutual Aid Benefit Scheme;
- (f) subscriptions, fees and contributions necessary for affiliation to any trade union federation or other lawful trade union organizations in Fiji or overseas.
- (g) social insurance, incidental expenses or their along with medical aid, as stipulated in the Mutual Aid Benefit Scheme terms and conditions.

- (h) expenses incurred on trade union business by officers and members of the trade union;
- the erection of any building of the purchase or lease of any building or land required for the purpose of the trade union and for the rent, upkeep and furnishing thereof;
- (j) contribution with the approval of the Registrar, to any registered trade union for the purpose of assisting such trade union in financial difficulties;
- (k) Contributions to any charitable, educational, cultural institution or society approved by the Registrar.
- Costs involving the educational, cultural and vocational training of members for Union business as approved by the Registrar and any incidental expenses thereof;
- (m) Cost towards the organization of any theatrical performance, concert, reception , dance, sports meeting or excursion;
- (n) The purchase of books, newspaper and other literature. Costs involving the editing, printing, publication and circulation of any book, newspaper or other periodical, bulletin/pamphlet or other printed literature for the advancement of the lawful objects of the trade union or the promotion of the interests of its members as such:
- (o) The provision of social and welfare amenities for its members as per provision of Mutual Aid Benefit Scheme.
- (p) interest on loans and income and other legally imposed taxes.

The funds of the Union which are not required for current expenses may on the direction of the Executive Committee be invested by the General Treasurer and the General Secretary in Government securities, or in such other securities as the Executive Committee may approve.

The financial year of the Union shall commence on the 1^{st} day of January of each year and terminate on the 31^{st} day of December of the same year.

Part XI Levies

127. Executive Committee May Impose Levies

The Executive Committee may recommend that a levy be imposed upon all members of the Union provided that such levy shall not be imposed unless agreed to by a secret ballot held at the Annual or Extra- Ordinary General Meeting.

128. Failure to Pay Levies

If any member fails to pay a levy imposed in pursuance of clause 131 above within a period specified by the Union Annual or Extra- Ordinary General Meeting such member shall be regarded as being in arrears of subscriptions and shall cease to be entitled to any of the rights and privileges of a voting member as contained in clause 17.

Part XII Accounts

129. Auditors

One or more independent qualified auditors shall be appointed at the AGM or EGM.

130. Auditing of Accounts

- 1) The General Treasurer shall cause all the accounts of the Union to be audited as soon as possible after the close of each financial year and at all other times when required by the Union or by law.
- 2) All books and accounts of the Union will be examined and a certificate as to their correctness or otherwise be given by the auditor. A report by the auditor shall be made available to the members at the AGM or the EGM.
- 3) The Union through the General Secretary shall file annual returns of the Union on or before 30 September in each year together with a copy of the auditors report.

131. Auditors Report to Be Made Available to Members

A copy of an audited financial report of the funds of the Union shall be conspicuously placed at the office of the Union where it may be conveniently examined by any member.

132. Inspection of Books

Any financial member shall be allowed at any reasonable time to inspect the account books and the registration of members. Applications to do so must be made to the General Secretary or the General Treasurer in writing.

Part XIII Rules of the Union

133. Rules to be made available to members

A copy of these rules shall be given to any new member within seven days of joining the Union and thereafter on demand payment of the sum of two dollars and fifty (\$2.50) or cost of equivalent to printing a copy.

134. Rules to be displayed in the registered office

A copy of the Rules shall be prominently displayed in the registered office of the Union.

135. Amendment of Constitution

- 1) The AGM or EGM of the Union shall have powers to amend the Constitution of the Union through a majority decision.
- 2) The Union shall notify and file any new rules or amendments of the Constitution with the Registrar in the manner prescribed and in accordance with the Employment Relations Promulgation 2007.

Part XIV Dissolution and Amalgamation

136. Dissolution

The Union shall not be dissolved except with the consent of two third or more of the total voting membership of the Union obtained by means of secret ballot held at the AGM or EGM

137. Settlement of Accounts

In the event of the Union being dissolved, all debts and liabilities legally incurred on behalf of the Union shall be fully discharged and the remaining funds together with the proceeds of the sale of any assets of the Union (excluding any provident or welfare fund which may have been established) shall be divided among all financial members in equal proportion or otherwise disposed of in accordance with a resolution passed at the meeting at which the dissolution was approved.

138. Notice to the Registrar

When the Union is dissolved notice of the dissolution signed by the General Secretary and seven voting members shall be sent by the General Secretary to the Registrar of Trade Unions within fourteen days of the date of the Meeting at which the dissolution was agreed to.

139. Amalgamation

1) The Union shall not amalgamate with any other Union unless

- (a) a secret ballot on the proposed amalgamation is taken at the AGM or EGM;
- (b) at least half the votes of voting members in the AGM or the EGM meeting are cast and recorded; and
- (c) such votes cast and recorded those in favor of the amalgamation exceed by one fifth or more the votes against the amalgamation.

(d) All requirements under the Employment Relations Promulgation or any successor legislation is met.

SOLIDARITY FOR EVER

When the union's inspiration

Through the workers' blood shall run

There can be no power greater anywhere

Beneath the sun,

Yet what force on earth is weaker

Than the feeble strength of one?

But the union makes us strong.

Solidarity forever! Solidarity forever! Solidarity forever! Solidarity forever! For the Union makes us strong.

CHORUS:

They have taken millions from us That they never toiled to earn, But without our brain and muscle Not a single wheel could turn, We can break their haughty power, Gain our freedom while we learn, That the union makes us strong.

CHORUS: Solidarity forever! Solidarity forever! Solidarity forever! Solidarity forever!

For the Union makes us strong.

In our hands is placed a power greater than their hoarded gold, Greater than the might of armies Magnified a thousand fold, We can bring to birth a new world From the ashes of the old For the Union makes us strong.

CHORUS:

Solidarity forever! Solidarity forever! Solidarity forever! Solidarity forever! For the Union makes us strong.

FIJI TEACHERS UNION

(THE CHILD OUR HOPE)

REG No. RTU 20/18 ESTABLISHED: 1930

REGISTERED UNDER THE TRADE UNION ORDINNANCES, 1964

APPLICATION FORM FOR MEMBERSHIP

FORM A

I hereby apply for the membership for the above Union. I pledge that I shall abide by the Union's constitution which is at present in force and which may be promulgamated from time to time. The necessary particulars about me are hereunder given that I sincerely believe the same to be true to the best of my knowledge and belief.

APPLICANT'S INFORMATION

Title: [Mr. / Mrs. /Miss] Name:				
Date of Birth:/ Employment # No:				
Gender : Male Female Marital Status :				
If married, name of spouse:				
Occupation of Spouse:				
Children:				
FNPF No :				
Home Address :				
Residential Contact :[R]				
:				
:[M]				
Qualification:				

Year of appointment to teach :
Teaching Training (Institution) :
Status: CS TCS (PLEASE TICK)
Others
Position:
Branch:
Name of Institution:
Contact details of Institution:
Address of Institution:
Date:
Applicants Signature:

 FOR OFFICIAL USE ONLY
 Date Received: ______

MEMBERSHIP NO: _____ RECEIPT NO :_____

DATE ISSUED :_____

FIJI TEACHERS UNION

(Headquarters)

(The Child Our Hope)

NAME OF BRANCH: _____

ADDRESS: ______

BRANCH ELECTIONS NOMINATION FORM (C)

1.0 Position for which nomination is being made

2.0	Name of Nominee		
3.0	Employment Number		
4.0	Institution:		
5.0	Phone No.	(res)	

6.0	Postal	
	Address	(Institution)
7.0	Branch	
8.0		
	ure of Nominee	
Signat		
Date		

9.0 Names of Proposers(at least 2)

	Names	Emp #	Institution	Signatures
3.1				
3.2				
3.3				
3.4				

Date: _____

CLOSING DATE

All duly completed forms must reach the Branch Secretary by the specified date.

FOR OFFICIAL USE:

Signature:

Date received: _____

Branch Treasurer: _____

Branch Secretary : _____

NOMINATION ACCEPTED / REJECTED

COMMENTS

FIJI TEACHERS UNION

(Headquarters)

(The Child Our Hope)

PO Box 2203 Govt Bldgs, 3 Berry Road Suva

Phone: 3314099/ 3314668 Fax: 3305962

NATIONAL ELECTIONS NOMINATION FORM (B)

1.0 Position for which nomination is being made

2.0	Name of Nominee	
3.0	Employment Number	
4.0	Institution:	
5.0	Phone No(res)	
6.0	Postal Address	(Institution)

7.0 Branch ______

8.0

Signature of Nominee_____ Date_____

9.0 Names of Proposers(at least 2)

	Names	Emp #	Institution	Signatures
3.1				
3.2				
3.3				
3.4				

Date: _____

CLOSING DATE

All duly completed forms must reach the General Secretary by the specified date.

FOR OFFICIAL USE:

Signature:

Date received: _____

General Treasurer: _____

General Secretary : _____

NOMINATION ACCEPTED / REJECTED

COMMENTS