

THE CONSTITUTION

OF

PHYSICIAN ASSISTANTS

UNION OF MALAWI

(PAUM)



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PRELIMINARY

WE, THE EMPLOYEES OF MALAWI MINISTRY OF HEALTH AND CHAM IN MALAWI

Having noted that the right of every person to freedom of associating, including the right to form and join trade unions is explicitly guaranteed by the constitution of the Republic of Malawi (1996) and international agreements to which Malawi is a party, do hereby make and adopt the following constitution.

ARTICLE 1

INTERPRETATION

1.1. In the Articles, unless the context requires otherwise-

“**Articles**” means the UNIONS’s Articles of Association;

“**Bankruptcy**” includes individual insolvency proceedings;

“**Employer**” shall mean Malawi Ministry of Health, CHAM or NGO in Malawi

“**Employee**” shall mean Clinical officers, Clinical Technicians, Medical Assistants and Dental Technicians working in various facilities, ‘Public and Private’ in Malawi.

“**Chairman**” has the meaning given in article IV;

“**Executive committee**” shall mean a committee comprising of the president, vice president, secretary general, vice secretary general, treasurer and committee members

“**ILO**” shall mean International Labor Organization

“**Writing**” means the representation or production of words, symbols or other information in a visible form by any method or combination of methods, whether sent or supplied in electronic form or otherwise.

ARTICLE II

ESTABLISHMENT OF THE UNION

1. The name of the Trade Union is **PHYSICIAN ASSISTANTS UNION of Malawi** ‘**PAUM**’ (hereinafter referred to as “the Union”) which shall be a body corporate with perpetual secession and shall under that name be capable of entering into contractual and other relations and of suing and being sued in its own name and is independent from indirect influence by the employer and other powers that be, and shall be an organization not for gain.

2. The union may affiliate or otherwise associate with other unions and workers' organizations whose objectives are similar to the objectives of the union.
3. The head office of the union shall be situated in Mzuzu at Area 1B, Luwinga along Nkhorongo road or such physical address as decided upon by the executive.
4. The postal address for the union shall be Post Office Box 342, Mzuzu, Malawi or such postal address as decided upon by the executive committee.

ARTICLE III

OBJECTIVES OF THE UNION

The objective for which the UNION is established are: -

- 3.1 To promote and protect the rights of its members as enshrined in their respective contracts of employment, national laws and international labor agreements to which Malawi is a party.
- 3.2 To promote a vibrant public and general health service in Malawi through the establishment and maintenance of just and proper conditions of service for its members.
- 3.3 To advocate and defend for all rights and interests of its members including their right to continued education before the employer.
- 3.4 To affiliate with or subscribe to other trade unions or assist any organization having similar aims and objectives to its own
- 3.5 To provide and secure representation on public, private bodies and committees or taskforces where such representation may be necessary
- 3.6 To act as a focal point and mouth piece for the interest of all its members who are physician assistants in the Republic of Malawi on matters of concern arising.
- 3.7 To act as a negotiating body between its members and their respective employers through commenting on, advancing or opposing any decision by the employers or policy of such authority affecting the interest of its members
- 3.8 To take part in all disciplinary issues involving its members with an endeavor to resolve disputes between members and/or with their employers or the public
- 3.9 To provide various trainings for its members;
- 3.10 To institute committees or task forces on other lawful groups to carry out assigned tasks that are consistent with the best interests of members
- 3.11 To be part of the team in policy formulation affecting PAUM members

- 3.12 To freely engage in any legal means of independent income generating and resource mobilization activities for the day to day operational costs of the union to further the aims and objectives

ARTICLE IV

MANAGEMENT OF THE UNION

SECTION A: BOARD OF TRUSTEES

- (a) There shall be a minimum of five (5) and a majority not exceeding eleven (11) trustees where at least twenty percent (20%) shall be women.
- (b) Trustees shall be nominated at the National Congress from paid up members of the union with good standing and the appointments shall be communicated to the Members no later than one (1) month following the beginning of their term of office
- (c) The National Executive Committee secretary must notify all paid up members of PAUM on the number of board of trustees that will be elected at each National Congress. This notice must be given along with the notice of the National Congress. Elected Trustees must be nominated by ten (10) members, and these nominations must be received before the national congress meeting is called to order.
- (d) They shall hold office for four (4) years
- (e) They shall preside over election of national executive committee members
- (f) Trustees shall be custodians of the union property and assets and maintain an up to date register.
- (g) They shall meet once a year to look at reports of the union and advice where necessary.
- (h) They shall elect among themselves a chair from three names and through a vote of at least 70% of the nominated board trustee members.

The Chair shall;

- i. Be any influential scholar or academician with clinical officer or Medical assistant or dental therapist background.
- ii. Be the lead counsel on all matters of PAUM
- iii. Administer the oath of office to newly elected officials and appointees of the National Executive Committee (Council) and Board of Trustees
- (i) NEC President or any of his delegate shall be the official secretary of the Board of trustees. In the absence of the President, his/her vice shall represent him/her thereof.

- (j) They shall act as an advisory body to the national executive committee when required and necessary
- (k) They shall resolve conflict amongst members of the executive committee
- (l) They shall act as peace makers to prevent, mitigate or settle disputes
- (m) They Shall serve as a disciplinary committee
- (n) They Shall receive disciplinary complaints, collect evidence and distribute to parties involved and their witness during the hearing
- (o) They shall recommend to NEC the type of penalty to impose in each case in line with the constitution.
- (p) The office of the board of Trustee shall be automatically vacated:
 - i. If at a special general meeting or Congress meeting of members, a resolution is passed by two thirds (2/3) of the regular paid up members present at the meeting that she be removed from office
 - ii. If a trustee has resigned her office by delivering a written resignation to the secretary of the board of Trustees of the Union.
 - iii. If he is found by court to be of unsound mind
 - iv. If he becomes bankrupt or suspend payment or compounds with her creditors
 - v. On death
- (q) The Trustees shall serve as such without remuneration and no Trustee shall directly or indirectly receive any Profit from her position as such; provided that a Trustee may be paid reasonable expenses incurred by her in the performance of her duties. Nothing herein contained shall be construed to preclude any Trustee from serving the Trustee as an officer or in any other capacity and receiving compensation thereof.

SECTION B: THE EXECUTIVE SECRETARIAT

- 1 The Union shall be managed by an elected Executive Committee of the Union (hereinafter called the National Executive Committee-NEC) consisting of the President, the Vice President, the Secretary General, the Vice Secretary General, the Treasurer and eight committee members
- 2 The NEC shall be the implementation unit of all resolutions and policies of, and shall perform such functions as are assigned to it from time to time by a resolution at the quadrennial congress meeting.

- 3 Members of the executive committee shall be elected from paid up members of the Union at the Unions Congress meeting.
- 4 Members of the Executive Committee shall be in the office for a four-year term. Having served for one term, members shall be eligible for re-election after a period of two years has elapsed from the time they left office.
- 5 Subject to termination of office by resignation or otherwise, the Executive committee shall appoint a person to fill-in the vacancy in acting capacity until the end of the term
- 6 The President shall be responsible for;
 - i. Implementing decisions of the General Assembly (Annual General Meeting)
 - ii. Managing the affairs of the Union on daily basis
 - iii. Chairing of all general meetings of the Union (annual conferences, quarterly executive meetings and any other extraordinary meeting of the Union)
 - iv. Calling extraordinary meetings in consultation with the Secretary in accordance to this constitution
 - v. Preparing and monitoring the implementation of all activities of the Union
 - vi. Preparing and presenting reports at the Annual General Meeting
 - vii. Appointing ad hoc committees from the Union to perform such functions as assigned by the Executive Committee in accordance with the constitution
- 7 The Vice President shall act on behalf of the President whenever the President of the Union is unable to perform his or her responsibilities. Some of the responsibilities of the Vice President include;
 - i. Coordinating district and other assigned executive Committees in liaison with the President
 - ii. Facilitating and campaigning for membership registration in liaison with the President
 - iii. Support the President at all times in the discharge of his duties
- 8 The Secretary General shall be responsible for;
 - i. Recording and updating the list of all members in a register of members
 - ii. Receiving requisitions for meetings of the Executive Committee
 - iii. Calling for executive committee meetings in consultation with the Union President
 - iv. Taking and distributing minutes of all meetings of the Union
 - v. Issuing notice relating to activities of the Union
 - vi. Conducting all correspondences of the union, keeping originals of all letters received and copies of the dispatched

- vii. Acting as the official spokesperson of the Union
- 9 The Vice Secretary General shall act on behalf of the Secretary General whenever the Secretary General is unable to perform his or her responsibilities.
- 10 The Treasurer shall be responsible for;
 - i. Receiving all moneys for the Union and issuing official receipts thereof
 - ii. Making duly authorized payments on behalf of the union
 - iii. Keeping updated books of accounts of the Union
 - iv. Preparing and presenting annual financial reports to the Annual General Meeting
- 11 The committee members shall perform such functions as shall be assigned to them by the President of the Executive Committee from time to time
- 12 The Executive Committee or any of its members may be removed from the office by a vote of no confidence passed by at least **50 percent** of all paid up members of a duly convened meeting.
- 13 The income and property of the Union shall be applied solely towards the promotion of the objectives of the Union, and no portion thereof shall be paid or transferred directly or indirectly to the members of the Union except as may be permitted by law.

SECTION C: BRANCHES

- 1. The union shall have four (4) administrative regional branches i.e. Northern Branch, Southern Branch, Central Branch and Eastern Branch which shall be headed by the Regional chairperson.
- 2. Each branch shall be governed by Branch Committee whose members shall be the chairpersons of all districts committees under each particular branch and those co-opted by the Branch Committee in consultation with the National Executive Committee.
- 3. The regional chairperson shall be elected together with the national executive committee members at the quadrennial Congress meeting.
- 4. Each branch shall have its own district committees comprising district chair and vice, secretary and vice, Treasurer and two (2) members who shall be elected from paid up members of PAUM from each branch district through election procedures as set forth in this constitution.
- 5. District committees through their chairperson shall be responsible for all district interests of PAUM members including the making of representations and actions in an advisory

capacity to the National Executive Committee through the regional chairperson excluding the conclusion of collective agreements or Strike.

6. The branch committee shall meet at least once per month and shall consist of Chairman, Secretary, Treasurer and their deputies.
7. Quorum shall be determined in line with the provision of all other meetings as per this constitution.
8. In the event of death, resignation, dismissal or expulsion of a member, Branch Committee shall have the power to fill the position.
9. The Branch Committee Members shall be elected by secret Ballot vote by all members of the branch and the results shall be final and binding.
10. Elections of all district committees shall be presided for by the Vice President of the Union or the Branch Chairperson or any other delegate by NEC.
11. Any aggrieved person shall appeal to the Board of Trustees through the National Executive Committee who may nullify or maintain the decision of the presiding officer.
12. The Branch officers shall hold office for four years or until their successors is elected and they shall be eligible for re-election.
13. In the event of unconstitutional behavior being taken by any member of the Union, the disciplinary Committee of the Union shall take such a disciplinary action as it thinks fit against the member(s) involved. Members shall have the right to appeal to National Executive Committee.
14. No branch can sanction a Strike but can only advise the National Executive Committee
15. The National Executive Committee shall see to it that all procedures laid down in the Collective Bargaining Agreement (CBA) and or the Labour Relations Act have been exhausted before calling for a Strike or Sit in

SECTION D: WOMEN'S COMMITTEE

1. There shall be a Women's Committee of PAUM which will deal with all women's activities whose Chairperson and Secretary will sit on the Executive Trustee Board
2. All female members of the union shall be automatic members of the Women's Affairs Committee.
3. In addition to objectives of the PAUM, the Women's Committee shall have the following functions: -

- i. . To organize, educate and unionize and advance the rights of women as well as mobilize and coordinate trade union structures towards promotion of the interests of women workers.
 - ii. To provide a channel of communication between the PAUM and other National Women's institutions and organizations.
 - iii. Aim to totally eradicate all forms of discrimination against women,
4. The operations and activities of the Women's Committee will be financed from the PAUM annual Budget.
5. Officers of the Women's Committee shall hold office for four years and shall be eligible for re-election.
6. The structure and composition of the Women's Executive Committee shall be as follows: -
 - i. The Women's Chairperson
 - ii. The Women's vice Chairperson
 - iii. The Women's Secretary
 - iv. Woman's Vice Secretary
7. The Women's Affairs Committee shall meet once in a year.
8. Meetings of the Women's Committee shall be convened by the Secretary of the Women's Committee or by the National Executive Committee of PAUM upon the written request of half of the members of the Women's Committee.
9. Decisions in the National Women's Affairs Committee shall be by a simple majority vote of the members in session.
10. The quorum of the Women's Affairs Committee shall be half of its total membership.
11. A conference of the Women's Committee shall be held within two (2) days prior to the Ordinary Congress. Delegates shall be composed of the female delegates to the PAUM Congress.
12. A conference shall elect from amongst the delegates officers of the Women's Committee, and this election is to be endorsed by the congress.

ARTICLE V
MEMBERSHIP

SECTION A: ELIGIBILITY

1. Subject to other requirements of the constitution, every clinical officer, Clinical technician, Medical assistant and Dental Therapist (qualified and those under training) shall be entitled to become a member of the Union
2. Any of the said employees who desires to become a member of the Union shall pay a non-refundable registration fee and a non-refundable monthly membership fee which will be stipulated by the NEC. Trainee clinical or dental students shall pay less than the stipulated registration and monthly contributions amounts.
3. No person shall become a member of the Union unless: -
 - a. That person has completed an application for membership in a form approved by the President of the Union, AND
 - b. The Executive Committee have approved the application.
 - c. Membership shall be maintained upon payment of registration fee and monthly membership fee.
4. The registration fee and membership fee may be revised by the Executive Committee from time to time.
5. No person shall be deprived of membership of the union on grounds of sex, religious persuasion, political beliefs, ethnic origin or grade
6. Any member of the Union who is in arrears of more than 2 (two) months of the prescribed fees shall not be entitled to vote at any meeting of the Union.
7. Access to the constitution shall be granted to every paid up member

SECTION B: RESIGNATION, SUSPENSION AND EXPULSION OF MEMBERS

1. Membership is voluntary as such every member has the right to withdraw from membership of the union at any time by giving a seven (7) days' notice to the Union Secretary General in writing.
2. Membership shall not be transferable.
3. A person's membership terminates when that person dies or ceases to exist.
4. A member whose membership fees are more than 2 months in arrears shall automatically cease to be a member of the Union.

5. The Executive Committee, at a meeting, may also terminate membership of any member if;
 - i. The member is not complying with the rules herein including non-payment of monthly membership fees or non-adherence to ethics or laws of the country.
 - ii. He or she willingly acts in a manner that prejudice the aim and objectives of the Union
 - iii. He or she willfully or negligently fails to obey lawful instructions issued by the Union
 - iv. He or she absents self from 2 (two) consecutive Union Executive Committee meetings and deliberations without any valid reason nor notification to the Executive Committee through either the secretary or any executive committee member.
 - v. He or she gets appointed to any position whose functions are reasonably likely to be in conflict with the objects of the Union
 - vi. A bankruptcy order is made against that person;
 - vii. A registered medical practitioner who is treating that person gives a written opinion to the company stating that the client (member) has become physically or mentally incapable of acting as a member and may remain so for more than three months;
 - viii. By the reason of that person's mental health, a court makes an order which wholly or partly prevents that person from personally exercising any powers or rights which that person would otherwise have
6. No member may be suspended, fined or expelled unless he/she has been afforded an opportunity to state his/her case personally at a meeting of the Executive Committee, of which he/she has received not less than ~~seven~~ (7) days' notice in writing from the Secretary General. The matter with which the member is charged shall be set out in such a notice.
7. Provided that there shall be a right of appeal against suspension, the imposition of a fine or expulsion to the ensuing extraordinary or annual general meeting of the Union; notice of any such appeal shall be given to the Secretary General in writing within twenty- on (21) days of the date on which the decision of the Executive Committee was communicated to the concerned person.
8. A member who has appeared before the Executive Committee in accordance with sub-clause (6) shall, if he/she is dismissed with the decision of the committee and has lodged

an appeal in the manner herein provided, have the right to restate his/her case personally to the extraordinary or annual general meeting which shall consider the matter.

9. A member shall be entitled to call witnesses in support of his/her case when attending a meeting of the Executive Committee or a general meeting.

ARTICLE VI

MEETINGS OF THE UNION

SECTION A: QUADRENNIAL CONGRESS MEETINGS

1. The Union shall every 4(four) years hold Quadrennial congress meetings in accordance to the provisions of this constitution at a venue and date as determined by the Executive committee (herewith referred to as Executive Council) in liaison with the Board of trustee chair person.
 - 1.1 The quadrennial congress shall be made up of specific eligible delegates of the Union who are in good standing and shall have satisfied the provisions of registration to partake in the quadrennial congress convened in accordance to this constitution.
 - 1.2. The Chair of the Board of trustees or in his/her absence the deputy chair of the board of Trustees or any of the duly appointed member of the board of trustees by two third (2/3) of the total number of the current board of trustees shall be the Chair of the quadrennial congress.
 - 1.3. Functions of the Congress shall be
 - 1.3.1. Receive reports from the President of the Executive Committee
 - 1.3.2. Receive reports from the secretary general of the Executive Committee
 - 1.3.3. Receive manifestos of aspiring officers
 - 1.3.4. Issue and receive nomination papers for aspirant officers
 - 1.3.5. Conduct elections to fill Vacant posts existing in the Executive Committee
 - 1.3.6. Induction of newly elected executive members into offices on the executive committee
 - 1.3.7. Transact any other business as may be deemed necessary

SECTION B: ANNUAL GENERAL MEETING (AGM)

1. The Union shall hold an Annual General Meeting of all registered members at least once in each calendar year for the following purposes;
 - i. Receiving and passing the accounts of the preceding year
 - ii. Receiving reports from the President of the Executive Committee (Council)
 - iii. Electing interim members to fill existing vacancies in the Executive committee and subcommittees as a result of death, resignation or dismissal of one or more of the duly elected executive members.
 - iv. Conducting of scientific conferences
 - v. Transacting any other business on the agenda paper by the Executive Committee upon the recommendation of any member of the Union
2. Notice of the Annual general meeting shall be issued to all members of the Union at least fourteen (**14**) days before the date of the meeting.
3. The quorum of the annual general meeting shall be **50 percent** of the total number of paid up members
4. At an Annual general' meeting, unless a quorum is participating, no proposal shall be voted on, except a proposal to call another meeting.
5. The quorum for members at an Annual general meeting may be fixed from time to time by Executive committee members but it must never be less than half of the fully paid up members in that financial year, and unless otherwise fixed it shall be **50%**.
6. If the total number of members for the time being is less than the quorum required, the members must not take any decision other than a decision to call for another general meeting.
7. Members participate in an Annual general meeting, or part of an Annual general meeting when:-
 - i. The meeting has been called and takes place in accordance with these articles,

And.
 - ii. The members can each communicate to the other on any information or opinion they have on any particular item of the business of the meeting.
8. In determining whether Union members are participating in an Annual general' meeting, the location of a particular member and the mode which the member communicate to each other is irrelevant.

9. If all the members participating in a meeting are not in the same place, they must decide that the meeting shall be treated as taking place wherever any of them is.
10. The Chair of every Annual general meeting or any other Executive Committee meeting shall be the President of the Union or any of his delegate from the Executive Committee.
11. If the President or his delegate is not participating in any Union' meeting within **ten** minutes of the time at which it was to start, the executive committee members or participating members may appoint a member to chair their meeting for the time being in the absense of the union president nor his delegate.

SECTION C: EXECUTIVE GENERAL MEETING (EGM)

1. For purposes of monitoring and evaluation of the Union, National Executive Committee shall be holding quarterly monitoring and evaluation meetings whose specific agendas shall be derived from the prevailing issues at hand.
2. Date for the next monitoring and evaluation meeting shall be fixed on the last day of the last meeting held and the secretary shall issue written or phone call reminder to all executive members on the said monitoring and evaluation meeting 7 (seven) days before the fixed date.
3. The quorum for the meeting shall be 50% of the paid up executive members.
4. Any resolution of a specific issue at a quarterly meeting of the Union shall be decided by a majority vote obtained through a secret ballot or by show of hands depending on the nature of the issue at hand.
5. No any quarterly meeting shall be conducted without the knowledge, presence and approval of the Union President or his delegate.
6. In determining whether Union members are participating in an Annual general' meeting, the location of a particular member and the mode which the member communicate to each other is irrelevant.
7. If all the members participating in a meeting are not in the same place, they must decide that the meeting shall be treated as taking place wherever any of them is.
8. Every Executive member is duly mandated to take part in any Executive Council meeting and discussion unless otherwise a valid written reason has been given to the Secretary prior to the meeting date.

9. The last quarterly meeting of the financial year shall be treated as the Executive General Meeting (EGM) in preparation for the annual general meeting (AGM) as in Article VI-section B.
10. In case of vacancy within the Executive committee or any subcommittee, the Executive Committee shall appoint interim officers into the posts who shall be in acting capacity up to the expiry of the term of the former officer.

SECTION D: EXTRAORDINARY MEETING

1. The Union may hold an extraordinary meeting if all members of the Executive Committee or at least **30%** of members of the Union request such a meeting where;
 - i. The notice for an extraordinary meeting of the Union shall be issued to all members of the Union at least **seven (7)** days before the date of the meeting
 - ii. The quorum for any extraordinary meeting shall be **60%** of the total number of paid up members
2. Any resolution of a specific issue at an extraordinary meeting of the Union shall be decided by a majority vote obtained through a secret ballot or by show of hands depending on the nature of the issue at hand.
3. No extra ordinary meeting shall be conducted without the knowledge, presence and approval of the Union President or his delegate.

ARTICLE VII

CONDUCT OF ELECTIONS

1. The election of members of the Executive committee shall be held every 4 (four) years and within two months of the expiry of the terms of office.
2. A national quadrennial congress shall be responsible for the election of executive Committee members at the expiry of their tenure.
3. Election Committee chaired by the Chair of Board of trustee of the union or in his or her absence the Vice chair of the board of trustees shall be established by the Executive Committee at least two weeks before expiry of the Executive Committee's mandate.
4. The elections shall be held by secret ballot and each member shall have one vote
5. Members of the Executive Committee shall be elected at a national quadrennial congress meeting held at a special date with such notice being put up fourteen days

before the election date (The requirements of the Labor Relations Act on gender considerations (section 13(1)(M) shall be complied with).

6. Only fully paid up members shall have the right to vote at the quadrennial congress meeting
7. Any member wishing to be nominated for the position of the President of the Union shall have served at least one full term as a member of the Executive Committee (Council).
8. Nomination papers of candidates bearing signatures of the proposer and seconder who are bona-fide members of the Union, shall be submitted to the Chair of the Elections Committee, 10 days before election date.
9. A candidate shall be allowed to withdraw from the elections process within two days of submission of papers.
10. The Executive Committee shall continue to hold office and discharge its duties in accordance with the constitution until such time as the new executive committee and office bearers are elected.
11. Unopposed candidate(s) shall obtain 50+1 votes of endorsement and or shall be then be declared by the Chair of the Elections Committee as duly winners and sworn in as de facto officers.
12. If none of the aspirants secures 50+1 of the total votes cast, a run off shall be promptly done between the two most competing candidates with highest votes.
13. If the number of votes for and against a proposal are equal, the chairman or other member chairing the meeting has a casting vote.

ARTICLE VIII

PROCEDURES OF INDUSTRIAL ACTION

1. If there arises any dispute between the Union and the Employer or any of its representatives which conflicts with any aim and objective of the Union, industrial action shall be taken if **70%** of members vote to do so.
2. The Executive Board shall see to it that all procedures laid down in the Collective Bargaining Agreement (CBA) and or the Labour Relations Act have been followed and exhausted before calling for a Strike or Sit in.

ARTICLE IX

FINANCE

1. The Executive Committee shall cause true accounts of the Union to be kept of the sum of money received and expended by the Union and all its officials and of all assets and liabilities of the Union
2. The Financial year of the Union shall be from **1st July to 30th June** each year
3. The Union Treasurer shall issue to all up paid members of the Union a copy of the accounts and balance sheet at least (14) fourteen days before the date of the Annual General meeting
4. The accounts and balance sheet of the Union shall be examined by qualified auditors who shall have full access to all books of accounts, vouchers and papers relating to the accounts, and may demand such information relative to the accounts as they require from the Executive Committee.
5. The accounts shall be operated under joint signatures of the President, Treasurer and Secretary
6. Payments shall require prior approval of the Executive Committee and shall be made by cheque signed by dual signature of either the President and Treasurer or President and Secretary
7. For acquiring or disposing off any property or equipment, approval of the General Body shall be necessary
8. All funds of the Union shall be kept in a bank approved by the Executive Committee

ARTICLE X

AMENDMENTS OF THE CONSTITUTION

1. Subject to the articles, Executive Committee members at a meeting may make any rule which they think fit about how they make decisions, and about how such rules are to be recorded or communicated
2. Any member of the Union may propose the amendment to any provision of this constitution by submitting to the Secretary General a written notice of that proposal which shall include a clear indication of the specific provision which is proposed to be amended and the manner in which it is to be amended.

3. Upon receipts of the notice mentioned in Article X (2) of the constitution, the Secretary General shall distribute the notice to all members of the Union and include the proposal to the amendment of the constitution on the agenda of the next Annual General Meeting or an extraordinary meeting, whichever is earlier.
4. An amendment of the constitution proposed in accordance with this constitution shall not be registered with the registrar of Trade Unions and Employers Organizations unless 70% of the members of the Union vote in favor of such amendment at an Annual General Meeting or Extra ordinary meeting at which the proposed amendment was on the agenda.
5. The alterations will be deemed registered and effective only after the amendment has been submitted to the registrar of Trade Unions and Employers Organizations and is certified that the alterations have been registered and is in compliance with sections 7 and 13 of the Labor Relations Act.

ARTICLE XI

EXECUTIVE COMMITTEE MEMBERS' REMUNERATION AND EXPENSES

1. Executive members may undertake any services for the Union that the members decide
2. Executive members are entitled to such remuneration as members determine: -
 - i. For their services to the Union as executive members, and
 - ii. For any other service which they undertake for the Union.
3. An Executive committee member's remuneration may take any form, and may include any -arrangements in connection with the payment of a pension, allowance or gratuity, or any death, sickness or disability benefits, to or in respect of that director.
4. Unless members decide otherwise, an Executive Committee member's remuneration accrues from day to day.
5. Unless the members decide otherwise, Executive committee members are not accountable to the company for any remuneration which they receive as Executive Committee members or other officers or employees of the Union's subsidiaries or of any other body corporate in which the Union is interested.
6. The Union may pay any reasonable expenses which Union members or Executive committee members or Board Trustee members properly incur in connection with their attendance at:-
 - i. Meeting of Union members or Executive committee members,

ii.i. General meeting, OR

iii.ii. Separate meetings of the holders of any class of shares or of debentures of the Union, or otherwise in connection with the exercise of their powers and the discharge of their responsibilities in relationship to the Union.

i.

ARTICLE XII

DISSOLUTION OF THE UNION

1. The Union shall only be dissolved if **70%** of members of the Union are in favor of the dissolution. This shall take place at an Extraordinary meeting or Annual General Meeting
2. If upon the winding up or dissolution of the Union there remains after the discharge of all its debts and liabilities any property of the Union, such property shall not be distributed among the members but shall be transferred to some other Union having objects similar to the objects of the Union or applied to some charitable object, such other Union or charity to be determined by ordinary resolution of members in a general meeting prior to the dissolution.

ARTICLE XIII

THE SEAL/LOGO

1. The Union shall have a common seal with the power to break, change or renew the same at pleasure, by action of the Executive Committee.
2. For security reasons, the seal shall be in the Custody of the Union President and shall only be used by the authority of the executive committee.
3. Every instrument to which that seal is affixed shall be signed by the President of the Union and shall be countersigned by the Secretary General or the deputy secretary general of the Union.
4. The Union shall have a logo specifically designed, customized and protected by the copyright laws of Malawi
5. All official documents of the Union shall have dual signatures of the President and the general secretary or the President and deputy secretary or President and Treasurer or

President and deputy Treasurer duly signed on a well aligned letter headed paper containing the logo and seal of the union.