

STATUTE

OF SEAMEN'S UNION OF SLOVENIA

OFFICIAL FAIR COPY

MAY 21th 2010

**STATUTE OF
SEAMEN'S UNION OF SLOVENIA**

PREFACE

At regular yearly conference on 21.05.2010, Seamen's Union of Slovenia accepted Official Fair copy of STATUTE OF SEAMEN'S UNION OF SLOVENIA.

The fair copy of Statute of Seamen's Union of Slovenia incorporates the wording of Statute of Seamen's Union of Slovenia dated 25.01.2007, the wording of Annex No.1 dated 20.11.2007, the wording of Annex No. 2 dated 06.05.2008, the wording of Annex No. 3 dated 07.05.2009 and amendments to the Statute, adopted by the SUS annual conference of 21.05.2010.

Official Fair copy of Statute of Seamen's Union of Slovenia shall coming in force from 21.05.2010.”

I. BASIC PRINCIPLES

Article 1

Seamen's Union of Slovenia (further in text SUS) is independent nonpartisan organization which enforce and protect economical, social and cultural interests of members, according with this Statute and taking in consideration international conventions and principles of modern lawful state.

Article 2

In SUS are incorporated individuals, union groups and union organizations which unite seamen, invalid seamen and retired seamen.

Article 3

SUS can be united with other union organizations in the way which allow independence in pursuing separate interests.

II. NAME, LOCATION AND INSIGNIA

Article 4

Full name of SUS is SEAMEN'S UNION OF SLOVENIA and represents juristic entity and carrier of rights and obligations stated in this Statute and other acts.
Seamen's Union of Slovenia is unlimitedly represented by President of Seamen's Union of Slovenia.
Abbreviated name for Seamen's Union of Slovenia is SUS.

Article 5

Seat of SUS is Liminijanska cesta 94a, 6320 Portorož

SUS has its own insignia. Insignia is compiled from three wavy lines which represent sea, on top is symbol of Triglav, in the middle is sign of anchor. Insignia is represented in one color.

III. MEMBERSHIP

Article 6

Membership in SUS is voluntary. For membership can apply every seaman, invalid seaman, and retired seaman.

Union groups or union organizations which are unifying seamen, invalid seamen, and retired seamen can apply for membership of SUS.

Worker becomes member of union by signing joining application

Union groups or union organizations can apply for membership in SUS basis resolution of competent body of appointed union group or union organization.. Every member of incorporated union group or union organization gains membership status in SUS and carries all member's rights and obligations.

Article 7

Member has right:

- to cooperate with recommendations and suggestions in forming, accepting and enforcing programs, statute and other activities concerning union policy
- to act in union bodies in order to enforce personal and collective interests
- to vote and to be elected in union bodies
- to protection in case of unequal or inferior position due to enforcement of union policy
- to education and union qualification organized by SUS
- to free legal help in achieving rights based on work and working relations
- other rights and benefits under SUS

Article 8

Benefits of member, incorporated union group or union organization are:

- mediation and help during search for employment of members
- solidarity help for members
- help for striking workers

Article 9

Obligations of members, union groups or union organizations are:

- to cooperate in SUS activities
- to act in accordance with program, statutory and other SUS official documents

- to pay membership fee except for invalid and retired seamen
- to declare about forms and means of union fight

Article 10

Membership ceases with resigning, crossing off the list or exclusion:

- member resign with signing withdrawal form
- incorporated union group or union organization resign basis resolution of competent body
- member is crossed off, if membership fee is not paid for consecutive six months. Same is valid for incorporated union group or union organization
- member, incorporated union group or union organization can be crossed off if:
 - acting on the contrary to statute, other official documents and program directives
 - preventing participation in strike organized by union to other members
 - committed criminal act

Article 11

Decision about member's crossing off is accepted by president of SUS

Decision about union group or union organization crossing off or exclusion is accepted by executive committee

Member can file a complaint to executive committee against decision about crossing off or exclusion, incorporated union group or union organization file a complaint to SUS conference.

Article 12

Member, incorporated union group or union organization can reapply for SUS membership, but not before one year from withdrawal, crossing off or exclusion

IV. UNION EMPLOYEE PROTECTION

Article 13

SUS protects working and personal intangibility of union employees

Means of protection are:

- protection during function duration in accordance with the law and collective agreement
- free legal protection and legal help in disputes which arise from performing union tasks
- financial help in case of cessation of working contract due to union tasks performance
- detailed formulation of union work conditions in collective agreement

V. FORMS OF SUS ORGANIZING

A. UNION GROUPS

Article 14

SUS is composed from members which are organized in union groups

Article 15

Vessel owned by Splošna Plovba (further SP), or foreign company owned by SP, constitute separate union group - vessel.

Seamen, not signed on but employed in SP or foreign company owned by SP, constitute union group of seamen in reserve.

Seamen employed on tug boats, constitute union group of seamen on tug boats.

The rest of seamen constitute union group of seamen on vessels not owned by SP.

Every union group or union organization, member of SUS is by organization, separate union unit.

Article 16

Every union group can elect group trustee

In case that there is no elected group trustee in union group - vessel, president of SUS nominate trustee with consent of nominated person. Group trustee in union group - vessel is nominated for period of presence in said union group.

Article 17

Union group activities are:

- every union group is election unit on elections for president of SUS
- discuss, approve or criticize work of president and other bodies of SUS
- propose recall of president of SUS to executive committee
- give suggestions, opinions and requirements to SUS bodies

Article 18

Union trustee is authorized person elected by members of union group or person nominated by president of SUS, and:

- organize and leads work of union group
- adjourns union group meetings as necessary
- relays suggestions, opinions and requirements to SUS bodies and informs members of union group with viewpoints
- collects suggestions, determines members interests and prepares viewpoints proposals
- cooperates in proceedings enforcing rights, duties and responsibilities of union members
- leads activities regarding preparations and organization of strike.

Article 19

Union trustee is responsible to union group

Union group can recall and elect new trustee, or demand / suggest to president of SUS to appoint other person, if ascertain that his union acting is not in line with union group interests.

B. BRANCHES

Article 20

For rational and effective operating, SUS can form branches which are independent legal entities.

Conference of SUS is deciding about founding, reorganization or closing of branch.

Article 21

According to program, orientations and development of activities, SUS can found, reorganize or close juridical organizations, independently or in consent with other organizations and in the way defined in previous article.

VI. OTHER FORMS OF UNION ORGANIZING

Article 22

Seamen - Masters and Chief engineers - can be organized in Masters and Chief engineers association in sea trading of Republic of Slovenia.

Association of Masters and Chief engineers in sea trading of Republic of Slovenia is organized and acts in accordance with own statute and working program.

VII. UNION BODIES AND METHODS OF ACTING

Article 23

Union bodies are:

- Conference of SUS
- Executive committee
- Supervising committee
- President of SUS

Article 24

Work of bodies of SUS is public, membership must be acquainted about decisions and other acts.

Article 25

SUS bodies, except president of SUS, accept decisions by voting.

Decisions of Executive committee and Supervising committee are accepted if more than half members of body voted acceptance. Decisions on SUS conference are accepted if more than half present members voted acceptance, i.e. if on second adjourning votes more than 2/3 of present members in accordance with Article 32.

A. SUS CONFERENCE

Article 26

SUS conference is compiled from every member of SUS, every member of union group and union organization incorporated in SUS.

Article 27

Regular yearly conference is convoked by president of SUS once in a year and the latest on March 31st of current year.

If president of SUS does not convoke regular yearly conference in given term, president of Executive committee is obliged to convoke the conference latest on April 30th of current year.

If president of Executive committee does not convoke regular yearly conference until April 30th, president of Supervising committee convokes conference latest until May 31st of current year.

Convocation of conference can be proposed or executed by Executive committee, Supervising committee or by 1/5 of members by demand.

Article 28

Competences of SUS conference are:

- Adopts statute of SUS and relevant corrections
- Adopts SUS yearly working plan for current year
- Adopts report of previous year working plan
- Adopts Executive committee previous year working report
- Adopts yearly financial plan
- Adopts Supervising committee report of previous year financial plan execution
- Adopts Supervising committee previous year working report
- Elects president of Executing committee
- Elects president, members and substitute members of Supervising committee
- Decides about membership fee amount
- Decides about Executive committee president's and Supervising committee members session fees
- Decides about cooperation with other unions
- Mediate about complaints to decisions of other bodies of SUS

Article 29

SUS conference must be convoked with Invitation. Invitation must include order of the day and proposed resolutions intended to be adopted on convoked conference. Invitations have to be sent at least one week before conference to every member on leave, to last known home address. To seamen which are signed on, invitation is sent by common way to the ships. To incorporated union groups and union organizations invitations are sent to their address. Besides invitation, blank authorization for representation must be enclosed.

Article 30

Until election of working presidency, conference is presided by the caller of the meeting. On the beginning of the SUS conference working presidency is elected and is composed from working president, member, minute secretary and president and two members of verification committee.

Working presidency and verification committee are elected if more than one half of present members voted positively and have mandate for current conference only.

When elected, working presidency takes over leading of conference.

Article 21

Verification committee ascertains minimal voting presence based on list of presence and delivered authorizations.

If there is present more than half votes of entire number of SUS members, conference is valid and can continue its work. Decisions for proposed resolutions are accepted if more than half votes are positive .

In case of less than minimal presence on hour of conference call, same can be called on after 30 minutes and conference decisions are valid. In that case resolutions of SUS conference are accepted if more than 2/3 votes are positive.

Article 32

Working presidency leads conference according with proposed working schedule. Voting is public i.e. rising hands. Every SUS member on conference has one vote. Member which is not present on conference can mandate other member in writing to represent him on conference. In that case every mandate has one vote. Every member of SUS conference has as many votes as is the sum of his vote and all written mandates in his possession.

At every voting, verification committee determines number of votes for proposed resolution, number of positive votes, number of negative votes and number of abstained votes. Based on findings, verification committee announces if the resolution is accepted or not. Findings are recorded in SUS conference minute.

Article 33

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Every member of SUS conference has right to propose opposite suggestion for every issue on working schedule. Working president must first place on vote proposal placed on conference working schedule, after that opposite proposal. SUS conference is closed when working president exhausts all issues on working schedule.

Article 34

Minutes of SUS conference must be written and signed by every member of working presidency. Accuracy of all statements in minute must be verified by president of verification committee. Besides SUS conference minutes, list of accepted resolutions is signed by working president and president of verification committee.

B. SUS EXECUTIVE COMMITTEE

Article 35

Executive committee is composed from president, substitute president and one member.

Members of SUS Executive committee are elected by SUS regular yearly conference. Nomination can be proposed by any present member and with written consent of candidate. Members are elected individually.

Mandate of Executive committee is 5 (five) years.

In the case that mandate of the Executive Board of the SUS expires in the same calendar year as the mandate of the President of the SUS, the Executive Committee mandate will be extended for one year.

Article 36

Mandate of president and members of Executive committee can terminate before the end of mandate in case of:

- death
- recall
- cessation of membership in SUS
- start of work or function which is not compatible with functions in SUS bodies
- resignation

Article 37

President of Executive committee can be called off in case of flagrant violation of statute and other rules determined in SUS acts, or not adjourning regular yearly conference according Article 27 of this statute, or not adjourning SUS conference demanded by at least 1/5 of members in case president of SUS lacks to adjourn the same in 30 days.

Article 38

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Executive committee discusses and accepts decisions on sessions. President of Executive committee composes minute of meeting and acknowledge every member of Executive committee, president of SUS and Supervising committee.

Executive committee accepts conclusions and points of view if more than half of members votes for acceptance.

Article 39

Executive committee has following tasks:

- prepares and suggests points of view to president of SUS concerning collective agreement negotiations, monitors various collective agreement definitions realization and demands consistency and respect for agreed issues.
- coordinate and directs activities of president of SUS
- relays information to SUS members
- monitors and demands realization of accepted working plan, resolutions and conclusions of SUS conference
- decides about beginning, duration and ending of strike and enforce SUS strike rules
- controls and reviews yearly working program report and proposes acceptance of the same to SUS regular yearly conference
- elects substitutes of Executive committee president and determines Executive committee members tasks
- organizes permanent and periodic bodies i.e. working groups for particular fields of action
- treats suggestions and opinions of SUS members
- decides about SUS president recall
- adjourns SUS conference in cases determined by this statute
- decides about members complaints to SUS president's resolution about member's exclusion from SUS
- gives consent to agreements for professional and administrative help

Article 40

President and members of Executive committee are entitled to meeting refund. Refund amount is determined on SUS regular yearly conference

C. SUS SUPERVISING COMMITTEE

Article 41

Supervising committee is composed from president, substitute president, one member. Members of SUS Supervising committee are elected by SUS regular yearly conference. Nomination can be proposed by any present member and with written consent of candidate. Members are elected individually. SUS Supervising committee mandate is four years.

Article 42

SUS Supervising committee monitors and supervises enforcement of agreements concerning collecting, spending and economizing funds, spending financial funds in accordance with accepted SUS program, financial plan and decisions of SUS bodies. Also monitors compatibility of financial management with financial and legal regulations.

Right and duty of Supervising committee is to monitor and control SUS financial management. Actions for eliminating eventual irregularities and findings of control are carried on Supervising committee sessions. President of SUS and president of Executive committee are promptly informed.

At the end of the year, Supervising committee evaluate and offers opinion about yearly financial report and relay it to SUS regular yearly conference for approval.

Article 43

If SUS conference ascertains that some member of Supervising committee is not acting as expected, same member can be called off and new member elected.

Article 44

Mandate of Executive committee can terminate before the end of mandate in case of:

- death
- recall
- ceasement of membership in SUS
- start of work or function which is not compatible with functions in SUS bodies
- resignation

In any of above cases, new member of SUS Supervising committee is elected on first regular yearly conference.

Mandate of newly elected member of Supervising committee is period of mandate of recalled or resigned member.

Members of Supervising committee are entitled to meeting refund. Refund amount is determined on SUS regular yearly conference

D. SUS PRESIDENT

Article 45

President of SUS:

- Represents and acts on behalf SUS
- Adjourns conference of SUS
- Organizes SUS work, coordinate and directs work of particular organization parts inside SUS
- Nominates union trustees in union groups according to second paragraph of Article 16 of this statute
- Basis regulations determines financial help for SUS members
- Ensures free legal help for SUS members
- Represents SUS member in disciplinary procedure with member's consent
- Cooperate in proceedings regarding labour relations of workers and proceedings before bodies which decide about workers rights
- Accepts and form points of view regarding actual issues and prepares propositions of points of view of SUS
- Accepts and forms resolutions about actual issues from his field of work
- Collects propositions and determines SUS members interests
- Accepts and forms points of view regarding propositions, opinions and standpoints of broader union organizations
- Gives initiative for cooperation with other union organizations and delegates members in acting bodies
- Informs SUS members about work and activities of SUS
- Protects union trustees
- Participates in election proceedings in manner to ascertain democratic cooperation in candidate proceedings for body members
- Prepares reports for Executive committee in demands their points of view
- Prepares yearly report about realization of yearly working plan for previous year
- Prepares yearly working plan and yearly financial plan for current year
- Has competence to make employment contracts in accordance with Labour law.

Article 46

President of SUS is electoral function. Mandate of president of SUS is 4 (four) years. For his work president of SUS is accountable to members of SUS, to Executive committee and to Supervising committee.

VIII. ELECTIONS FOR PRESIDENT OF SUS

A. TENDER FOR ELECTIONS

Article 47

Elections for president of SUS are tendered by SUS conference not more than 8 months in advance and not less than 3 months before end of four yearly mandate.

Not more than 60 days and not less than 30 days must pass from day of tender to day of voting.

Article 48

Date of election tender and date of voting is determined in election tender resolution and must be displayed on SUS notice board and relayed to all union groups.

Election activities commence with day of election tender

Article 49

If president's mandate ceases before regular mandate period, elections ahead of time are carried on. If there is less than 8 months to regular mandate period completion, regular mandate is tendered. Premature elections are tendered not more than 30 days after president's mandate cessation. In intermediate period, president of Executive committee is acting as president of SUS.

B. CANDIDACY – MANDATE

Article 50

Every member of SUS has a right to be elected for president under following conditions:

- membership in SUS for at least 2 (two) years
- necessary knowledge of slovenian and english language

Article 51

Candidates for president of SUS are independent i.e. everybody can apply if fulfills conditions from Article 51.

Application is addressed to Election committee, with evidences and statements about conditions fulfillment and application confirmation statement. Besides, candidates must issue working program for next mandate period, which must be aligned with SUS long term policy.

Complete application must be tendered not less than 15 days before elections

Article 52

During evaluation of applications, Election committee has right to demand additional proofs or evidences about conditions fulfillment. Completing evaluation of candidates, alphabetical list of candidates is issued.

C. ELECTION PROCEDURES

Article 53

Elections for president of SUS are conducted by Electoral board.

Electoral board is composed from president of Electoral board, two members and substitute members, appointed by conference of SUS

President and members of Electoral board have to be members with voting rights and can not apply for presidency.

Article 54

Elections for president of SUS are carried on in every union group separately, on the same day and hours.

Electoral boards of union groups appointed by union trustees execute elections in union groups. Union trustees appoint president of Electoral board and two members.

Poll and polling-box are prepared by each Electoral board in union group with assistance of Election committee.

Article 55

List of candidates with personal data, written consent and working program for next mandate must be delivered to union groups not less than 7 days before date of elections.

D. ELECTIONS

Article 56

Electoral board must provide adequate and secure polling-box

Article 57

Before commencement of elections Electoral board examine election materials and composes minute. In minute, Electoral board states way of protection of polling-box at all times (sealing polling-box slit with signatures of Electoral board members, separate preservation of polling-box and polls, etc.)

Article 58

Voting is in secret, with polls. Turn of candidates on poll is equal to turn on candidate list.

Every member can vote only for one candidate.

Article 59

For president of SUS is elected the candidate with majority of votes, but not less than half of votes who attended the elections.

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If there is no candidate with necessary number of votes after first round, two candidates with majority of votes are classified to second round.

Second round of elections shall be executed within 15 days after date of first voting. Precise date will be determined by election committee. Candidate with majority of votes in second round is elected as SUS president.

Article 60

Elections minute with results from each union group, must be delivered to Election committee by presidents of Electoral boards as soon as possible, but not later than 48 hours after poll closure.

Election committee collects results from all union groups, produces minute and notify all union groups. Minute of election is handed over to every candidate.

Every candidate has right to file a grievance to election results not later than 3 days after elections. Complaint is delivered to Election committee in writing. Resolution of Election committee about grievance is final.

Article 61

Election committee issues confirmation of election to elected candidate

Confirmation is delivered after term reserved for complaints, if not filled in, or after decision about complaint by competent body.

Article 62

Repetition of elections for president of SUS is performed in case of irregularities found by Election committee, annulment of elections in one of union groups, or annulment of entire elections.

In that case Election committee decide if new elections will be carried on with same or different Electoral boards, with existing candidatures or with new candidatures, bearing in mind reasons for annulment of elections.

Repeated elections based on same candidates must be carried on not less than 15 days, repeated elections based on new candidates not less than 60 days from annulment of elections.

Repeated elections are tendered by Election committee.

IX. CESSATION OF MANDATE

A. CESSATION OF MANDATE TO PRESIDENT OF SUS

Article 63

Mandate to president of SUS ceases due:

- retirement
- absence more than three months
- death
- exclusion or cessation of membership in SUS
- resignation
- recall or
- cessation of working contract
- rejection of yearly working plan of SUS for current year
- rejection of execution of yearly working plan report
- rejection of financial plan for current year
- rejection of financial management report

Article 64

In case of cessation of president of SUS mandate, except if president was recalled from function, Executive committee issues statement with the day of mandate cessation.

Until end of mandate or election of new president function of president of SUS is carried out by president of Executive committee, substitute of president of Executive committee overtakes function of president of Executive committee.

B. RECALL OF PRESIDENT OF SUS

Article 65

In case of loss of confidence of membership, president of SUS can be recalled by Executive committee due proposition of more than 5% of members, due proposition of union group, or due proposition of Executive committee itself or Supervising committee. In that case all authorizations ceases to be valid. Duties of president of SUS are overtaken by president of Executive committee, until legal validity of resolution and election of new president in accordance with this statute.

Recalled president has right to file a complaint in not more than 15 days to SUS conference. Conference must arbitrate his complaint in not more than 30 days. Decision of conference of SUS is final.

Article 66

President of SUS is employed by SUS during his mandate.

Wages of president of SUS are 3.750,00 EUR, which represent gross wage with all supplements and eventual overtime and reimbursement for annual leave. Besides wage, president is entitled to reimbursement for voluntary medical insurance, other expenses (transport to working place and meals during working hours in accordance with valid governmental regulations) and reimbursement of expenses during official trips (mileage, daily allowances, hostelry expenses etc.)

Employment contract is signed by president of SUS and president of Supervising committee.

X. INFORMATIONS

Article 67

SUS bodies are obliged to inform union groups about their work

XI. NEGOTIATIONS

Article 68

President of SUS is authorized for negotiations and signing agreements

President of SUS is obliged to represent and enforce interests of members and inform president of Executive committee about achievements and results.

XII. FINANCING

Article 69

Activities of SUS are financed by membership fee and other incomes.

Amount of membership fee is determined on regular yearly conference and is reimbursed on monthly base.

Article 70

Funds collected from membership fees are intended for:

- material expenses
- collective use
- refunding legal, expert and administrative help
- solidarity expenses
- refund of lost wages in case of strike (strike fund)
- Session refunds to president of Executive committee and to members of Supervising committee

Income from other sources, serve for covering wages of president of SUS and secretary.

XIII. LEGAL ENTITY

Article 71

SUS is legal entity and has its own stamp. SUS is represented by president of SUS.

XIV. PROFESSIONAL SERVICES

A. ITF INSPECTOR

Article 72

SUS can employ ITF inspector. ITF inspector is employed as long as lasts his employment as ITF inspector.

Wage and other related expenses of ITF inspector can not be higher than refund of ITF London to SUS.

Funds for wage and other related expenses of ITF inspector must be ensured by ITF London.

Employment agreement is signed by ITF inspector and president of Supervising committee.

B. SECRETARY OF SUS

Article 73

Secretary can be employed by SUS.

Wages of secretary of SUS are 2.500,00 EUR, which represent gross wage with all supplements and eventual overtime and reimbursement for annual leave. Besides wage, president is entitled to reimbursement for voluntary medical insurance, other expenses (transport to working place and meals during working hours in accordance with valid governmental regulations) and reimbursement of expenses during official trips (mileage, daily allowances, hostelry expenses etc.)

Employment contract is signed by employee and president of SUS

XV LEGAL, PROFESSIONAL AND ADMINISTRATIVE HELP

Article-74

SUS can sign a contract with legal professional or corresponding legal organization in order to ensure free legal help to SUS members.

Article 75

President of SUS can sign a contract with external entities for additional professional and administrative help without approval from Executive committee, thereby committing itself to a rational use of financial funds.

XVI. TRANSITIONAL AND FINAL REGULATIONS

Article 76

Conditions for SUS functioning in company, actions of union activists and their protection are incorporated in common company rules, collective agreement and standing legislative acts.

Article 77

With the date of entry into force of this fair copy of Statute of Seamen's Union of Slovenia, the validity of previous Statute of Seamen's Union of Slovenia dated 21.05.2007, Annex No.1 dated 20.11.2007, Annex No. 2 dated 06.05.2008 and Annex No. 3 dated 07.05.2009 is terminated.

PRESIDENT OF REGULAR YEARLY
CONFERENCE OF SUS:

PETAR KALUDJEROVIČ