

Bylaws of SID

(Statute of SID)

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Version 1.0

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1. INTRODUCTION

- 1.1. Solidarity, Independence, Democracy - SID is a trade union open to all employees of EU institutions including the officials and other agents of the Communities. Its main purpose is to act in the general interest of the staff, without prejudice to the statutory powers of the Staff Committees. It shall defend the Rights of all EU institution employees based on EU Charter of Fundamental Rights, Industrial Democracy and within the EU laws.**
- 1.2. SID stands for Solidarity (with all those people who earn their money by working for it), Independence (from all those who do not) and Democracy (in all decisions affecting sane, adult people).**
- 1.3. SID is a staff association and trade union of people working in the EU Institutions.**

2. LOCATION

SID is based in Luxembourg.

3. GOALS

SID works to achieve the following goals

- 3.1. To protect the rights of EU institutions Staff by obtaining the full application of the EU Charter of Fundamental Rights**
- 3.2. To promote the idea of industrial democracy (that means to let people decide for themselves, together with their colleagues, how best to get their jobs done)**
- 3.3. To obtain a fair share of the Institutions' budget for their staff**
- 3.4. To oppose surveillance and manipulation of EU staff, whether it is already practiced or still in the planning stage**
- 3.5. To cooperate with the rest of the working people in the world, to obtain our democratic Rights and a fair share of global wealth.**
- 3.6. To act in the general interest of the staff, without prejudice to the statutory powers of the Staff Committees.**

4. LEGAL FRAMEWORK

The following texts are important documents describing the legal framework within which SID must operate;

- 4.1. EU Charter of Fundamental Rights**
- 4.2. ILO Conventions**
- 4.3. EU Treaties**
- 4.4. Statute of Officials and Other Servants of the European Community**
- 4.5. Protocol Establishing Certain Privileges and Immunities of the European Communities**
- 4.6. The jurisprudence of the EU Courts**

5. POLITICAL ORIENTATIONS

The following texts give an idea of the general outlook of SID, of its values, goals, and methods;

- 5.1. The EU Charter of Fundamental Rights**
- 5.2. The Preamble to the Constitution of the IWW (www.iww.org)**
- 5.3. The Platform of attac (www.attac.org)**
- 5.4. The Platform of SID.**
- 5.5. No one in the world believes completely in every single sentence of the above texts and no Member of SID is expected to do so.**
- 5.6. No Member may be placed at a disadvantage or granted any advantage on the sole grounds of her/his attitude to the ideals expressed in these texts.**
- 5.7. They are simply a source of good ideas.**

6. MEMBERSHIP

Anyone working directly or indirectly for the Institutions of the EU may become a Member of SID.

All Members of SID have equal rights and obligations, save for those resulting from being elected to a SID Organ.

A two thirds majority of the referendum may expel a member.

7. DECISION MAKING

7.1. Generalities

The decisions of SID are made by its organs which are arranged in a hierarchy. A higher organ has the right to change or overturn decisions taken

by a lower one. The individual members of each organ have equal rights and decide by simple majority of those taking part in a vote.

7.2. Voting

7.2.1. Each member of an organ has one vote.

7.2.2. Absentee members may leave written instructions for proxy votes with members who will be present for the vote.

7.2.3. The written instructions must specify what to vote for or against with reasonable clarity.

7.2.4. Votes may be cast as a show of hands, by marking ballots or electronically.

8. MEETINGS

8.1. The meetings of SID Organs will follow Robert's Rules of Order. (<http://www.robertsrules.org/rulesintro.htm>)

8.2. A brief written Report on each Meeting will be prepared by one of its participants and sent to the Secretary General with copies to all participants.

8.3. Meetings may be held physically or electronically.

8.4. That Report shall state the time, place, names of participants, and what decisions were taken.

8.5. It is strongly recommended to include information that may be useful for the higher Organs.

8.6. Wherever possible the Report shall be prepared in “rtf” or at least “doc” format and emailed to the Secretary of the Archive.

8.7. Wherever possible the Report shall be in English, French or German.

9. VERY IMPORTANT DECISIONS

9.1. Decisions to modify these bylaws must be approved by a two thirds majority at a Referendum.

9.2. Decisions to borrow more than 100 EUROS in SID's name must be approved by a two thirds majority at a Referendum.

9.3. Decisions to enter into binding agreements with other organizations must be approved by a two thirds majority at a Referendum.

9.4. Subsidiary

9.4.1. *All other decisions may be made by a simple majority of the voting members of any SID organ.*

9.4.2. *The next higher organ must be notified in writing as soon as possible, even before the decision has been voted.*

9.4.3. *It is recommended that individual Members take small scale decisions, that the President take medium scale decisions, that the full Secretariat take large scale decisions, and that all fundamental decisions be taken by Referendum.*

9.4.4. *When there are doubts about the importance of a pending decision it is wise to hand the responsibility up to the next higher Organ in order to include more Members and to save the effort of revising or overturning that decision.*

9.5. Very Urgent Decisions

All SID organs will need to work to be prepared for any possible emergencies.

If a serious emergency arises that must be met so quickly that the regular decision making procedures cannot be followed, whatever Organ first becomes aware of the emergency will make provisional decisions and report them to the next higher organ. That Organ bears full responsibility for its decision.

10. SID'S PRACTICAL WORK

10.1. The Archive

10.1.1. The Secretary of the Archive will enter all Reports into the SID Archive and add references to that Report to the Archive's Index.

10.1.2. S/he will keep two backup copies of the SID Archive in two separate locations and update these copies once a month or more frequently.

*10.1.3. The rules of Regulation 1049/2002 on access to documents of the EU Institutions shall apply *muta mutandis* to the SID Archive.*

10.1.4. Documents of any interest to the general public shall be made available on the SID Website.

10.2. Research and Investigation

10.2.1. SID will work to obtain data, information and knowledge that is useful in the pursuit of its goals by all means that are legally and ethically acceptable.

10.2.2. Under those same conditions, it will share the results of its research and investigation with interested members of the public.

10.2.3. These results will be conserved in the Archive for further use.

10.3. The SID Website

10.3.1. Decisions about the content of the SID Website shall be made in accordance with these Bylaws.

10.3.2. If the Website carries any paid publicity at all, it must be for products and services that are socially and environmentally sound.

*10.3.3. If the Website carries paid links to commercial sites, such as *amazon.com*, the products and services offered there must be socially and sentimentally sound.*

10.3.4. The Website will carry information about SID's goals and activities as well as information about unions and workers throughout the world.

10.3.5. It will concentrate on information that is under-reported by the commercial mass media, on critical commentary and on tough, but humane satire.

10.3.6. Given that, SID will abstain from insults to persons or to clearly recognizable groups; it will criticize words and actions without attacking people.

10.4. SID Publications

10.4.1. For ecological reasons, wherever possible, electronic publications shall take the place of printed ones.

10.4.2. If a Publication carries any paid publicity at all, it must be for products and services that are socially and environmentally sound.

10.5. Finances

10.5.1. SID will acquire funds through whatever legally, ethically, socially and politically acceptable means it decides to pursue.

10.5.2. However, it will accept no anonymous donations at all.

10.5.3. It will make no promises to donors in exchange for their donations.

10.6. Accounts

For all financial transactions involving SID the following items of information must be recorded in its Accounts;

10.6.1. the nature of the transaction; whether it was a receipt or an outlay

10.6.2. the amount expressed in current EUROS

10.6.3. the date on which the transaction took place

10.6.4. the identity of the partner with which the transaction was made

10.6.5. a reference to the document covering the decision to undertake that transaction

This information will be entered into a spreadsheet which will be available to all Members so that they may know SID's exact financial position at any time.

11. SID ORGANS

The order of the decision making organs, from the highest to lowest is as follows;

- (a) the Referendum
- (b) the General Assembly
- (c) the Secretariat
- (d) the President
- (e) the Secretary General
- (f) the Specialist Secretaries in the order of their seniority in that office
- (g) The Individual Member.

11.1. The Referendum

- 11.1.1. All Members have the right to participate in the discussion leading up to a Referendum and in the vote.*
- 11.1.2. The proposal must be circulated to all members at least ten working days before the vote.*
- 11.1.3. All arguments for the adoption, the revision or the rejection of the proposal must be circulated to the membership.*
- 11.1.4. The voting must be delayed three times for ten days each time at the written request of at least ten members.*

11.2. General Assembly

- 11.2.1. All Members must be invited to the General Assembly by the President or a higher Organ at least ten days beforehand.*
- 11.2.2. The invitation must be in writing and include the place, time and a provisional agenda.*
- 11.2.3. General assemblies may be held physically or electronically.*
- 11.2.4. At the written request of at least ten Members, the place and/or time of the General Assembly could be changed at most twice during the ten days between the invitation and its initially proposed date.*

11.3. The Secretariat

- 11.3.1. The President, the Secretary General and the Specialist Secretaries, elected by simple majorities of the Referendum or the General Assembly are members of the Secretariat.*
- 11.3.2. Each Specialist Secretary will take on an area of responsibility and be known by that area.*
- 11.3.3. There could and should be a “Secretary of Finances”, “of the Archive”, “of Publicity”, “of Relations with Unions”, “of Relations with the Administration”, “of Legal Affairs”, for as many languages as the Members of SID can manage.*
- 11.3.4. Each Specialist Secretary will work to learn more and more about her/his area of responsibility, to build up a small library of important and useful documents, and to write down what s/he has learned.*
- 11.3.5. The Specialist Secretary's work should be governed by the motto “Knowledge is Power”.*
- 11.3.6. Each SID Member is encouraged to take on a specific area of responsibility, be it small or large, and become a Secretary of that specialty.*

11.4. The President

11.4.1. The President is elected by a majority of the Referendum or the General Assembly and holds office, given good behaviour, for one year.

11.4.2. If no new candidate for the post of the serving President is available at the end of her/his term of office, the mandate is automatically extended for one more year.

11.4.3. The President of SID is in the middle of its hierarchy of Organs, not at its top or bottom.

11.4.4. Her/his role is to speak and write for SID and to give it a human face that colleagues and the public can relate to.

11.4.5. S/he signs documents on behalf of SID.

11.4.6. S/he must make all decisions for which no specialist Secretary is available.

11.5. The Secretary General

11.5.1. The Secretary General is elected by a majority of the Referendum or the General Assembly and holds office, given good behaviour, for one year.

11.5.2. If no new candidate for the post of the serving Secretary General is available at the end of her/his term of office, the mandate is automatically extended for one more year.

11.5.3. S/he acts as the President's deputy.

11.5.4. When the President is absent or overloaded with work, s/he takes the President's place.

11.6. The Specialist Secretaries

11.6.1. Each Specialist Secretary is elected by a majority of the Referendum or the General Assembly and holds office, given good behavior, for one year.

11.6.2. If no new candidate for the post of the serving Specialist Secretary is available at the end of her/his term of office, the mandate is automatically extended for one more year.

11.6.3. Several Members may be elected to work as Secretaries in the same Speciality.

11.7. The Individual Members

11.7.1. The Individual Member is the foundation of SID because it is s/he who does the most important thing; the practical work.

- 11.7.2. All Members have equal duties and rights, except insofar as they have been elected as members of an Organ.*
- 11.7.3. The minimum dues are 1 EURO annually.*
- 11.7.4. Members are requested to make generous voluntary contributions to SID's work.*
- 11.7.5. These contributions include general financial donations, financial donations for specified purposes, donations of goods and services.*
- 11.7.6. Members should devote at least one hour of their time per week, on average, to follow the work of SID because an uninformed Member is utterly useless.*
- 11.7.7. Members should volunteer to be candidate Specialist Secretaries if their circumstances allow them to do so.*
- 11.7.8. Everyone has at least one skill that is useful for SID's work.*
- 11.7.9. Such skills include knowledge of science, technology, academic knowledge, knowledge of languages, of law, many practical abilities including that of inter-personal communication.*

12. INTERPRETATION OF THESE BYLAWS

- 12.1. These Bylaws shall be interpreted and applied in accordance with the rules, precedents and practices used by the Court of Justice of the European Communities.**
- 12.2. Therefore no particular language version shall stand higher than the others.**
- 12.3. If any part of these Bylaws should be discovered to be in violation of a law currently in force and applicable to SID, such as the Staff Regulations of the EU Institutions, it shall be replaced by a legally valid provision as rapidly as possible.**
- 12.4. In this case, exceptionally, a simple majority of the Referendum shall be sufficient to approve the change.**

Secretary General,

Michael ASHBROOK

15/10/2007

President,

Reza FARDOOM

15/10/2007