

# UNION OF THE WORKERS IN SOUTH AFRICA

## CONSTITUTION

### PREAMBLE

We, Union of The Workers in South Africa representatives, firmly commit ourselves to a unified and formation of a strong, democratic, non-racial, non-sexist organisation, and a democratic South Africa, free from oppression, economic exploitation and unfair discrimination.

### 1. The name of the union and members

1.1 The name of the union is UNION OF THE WORKERS IN SOUTH AFRICA, hereinafter referred to as “**UWISA**”.

1.2 The member shall mean any affiliated member of **UWISA**

1.3 The employer shall mean the person or institution that employs the members of **UWISA**

### 2. The physical address of UWISA SHALL BE-

3031 Windsor St

Soweto, 1818

## South Africa

### **3. The aims and objectives of the union are—**

- 3.1 to address grievances and/or mistreatment of all the affiliated Members of UWISA, as it relates to their scope of employment.
- 3.2 to ensure that the members of UWISA have conducive working conditions, and are treated fairly at all material times.
- 3.3 to ensure that employers homogenise, normalise, standardize and regulate a fair level of wages and salaries of all members as per government *gazettes*.
- 3.4 to ensure that the wages and salaries of the affiliated members are not reduced below minimum wage.
- 3.5 to organize and unite the members engaged in various industries across the Republic of South Africa and to regulate the relations of employers and of members or workers.
- 3.6 to guarantee the members protection and legal representation when forced to work under abnormal and unbearable conditions, refusal of sick and maternity leaves, and other conditions gazetted by the government of the Republic of South Africa.
- 3.7 to ensure that the members are compensated in cases of accidents as per Workmen's Compensation Act and Compensation for Occupational Injuries and

Diseases Act (COIDA);

- 3.8 to strive settlement of disputes between employers and members in an amicable manner in the interest of continuity of work;
- 3.9 to provide legal assistance and representation to members in respect of matters or disputes arising out of, or incidental to, their employment;
- 3.10 to render necessary assistance to the members during periods of any strike brought about with the permission of the union and/or court order;
- 3.11 to get enough information relating to the various industries in the Republic of South Africa.
- 3.12 to work synergistically and/or amalgamate with various unions in the Republic of South Africa that have similar objectives with UWISA;
- 3.13 to assist, in terms of South African Trade Unions Act, the working classes in the Republic of South Africa;
- 3.14 to take progressive steps to ameliorate the social, economic, civil and political conditions of the members;
- 3.15 to open permanent or temporary centers for the achievement of all or any of the above objects.

#### **4. Structures within the Union**

4.1 The union is consisting of the following structures and general spheres of authority:

4.1.1 the Executive committee;

4.1.2 members, who collectively are the foundation of the union in the workplace and in the union;

4.1.3 shop stewards and shop steward committees, operating within the different workplaces in which members of the union work;

4.1.4 branch executive committees which operate within each branch;

#### **5. Executive Committee.**

5.1 The executive committee of the union shall consist of the President, Deputy-President, the Chairperson, the General Secretary, Deputy General Secretary, and the Treasurer. All of the above members of the executive committee shall be elected at the Annual General Meeting of the union and they shall be eligible for re-election.

5.2 The members of the executive committee are responsible for the powers and functions of the executive committee assigned to them by the President.

5.3 The President may assign to an executive committee member any power or function

of another executive committee member who is absent from office or is unable to exercise that power or perform that function.

- 5.4 The President may remove any member of the executive committee from office on the grounds of a serious violation of this Constitution or the law; acting against the interests of UWISA; serious misconduct; or inability to perform the functions of office, before and/or after the Annual General Meeting has or is to seat.
- 5.5 Additional members- The President may appoint, and remove, additional members to assist the executive committee in executing the objectives of UWISA as he deems fit.

## **6. Membership-**

Any person engaged in the workplace across the Republic of South Africa who has attained the age of 18 years shall be entitled to become the member of the **South African National Union of the people** upon:

- 6.1 completion of UWISA membership form;
- 6.2 payment of an admission fee of R110;
- 6.2 a monthly subscription of R100 provided he/she agrees to abide by these rules and regulations and such other rules and bye-laws as may from time to time be framed by the UWISA.

## **7. Shop Stewards**

7.1 The members of the union in good standing in each workplace must elect, by ballot and from among themselves, shop stewards:

7.1.1 who hold office for 3 years; and

7.1.2 who may be re-elected.

7.2 The shop stewards shall have meetings at least once a month with members.

## **8. Branch executive committee**

8.1 Branches of the Union herein are established and well demarcated in accordance with Executive Committee decisions.

8.2 Each branch consists of the following:

8.2.1 the branch Chairperson;

8.2.2 the Branch Deputy-Chairperson;

8.2.3 the Branch Treasurer; and

8.2.4 the Branch Secretary.

## **9. Failure to pay membership fees**

Any member in arrears of monthly subscriptions for a period of three (3) months shall:

9.1 be deemed or declared to be in default, and failure to clear up the arrears within one month from the date of such declaration, he/she shall cease to be a member and his/her name shall be removed, and shall forfeit all paid subscriptions already paid to UWISA. The member may, however, rejoin UWISA upon payment of all arrears and admission fee of R110.

## **10. Benefits**

10.1 No member of the union shall be entitled to any benefits that the union may decide to give to its members unless he has been a member for at least three (3) months and has paid all contributions. However, it is possible for a new member to enjoy the benefits of the union provided that they did pay the joining fee of R330.

10.2 A member of the union who is in arrears with his monthly subscriptions or dues shall not be entitled to any benefits provided for by UWISA.

10.3 Should the members of the union go on strike without the sanction or approval of the Managing Committee, they shall not be entitled to any benefits whatever.

10.4 The union shall keep a register of all its members containing their names and particulars of their place of work, their residence, etc.

10.5 The register shall be open for inspection by any member or officer of the union at the head office during the business hours on weekdays.

## **11. Management of the union.**

- 11.1 The management of the affairs of the union shall be carried on by the Executive committee constituted as above.
12. In the event of a vacancy occurring among the office-bearers or the members of the Executive, it shall be filled by the Managing Committee by co-option.
13. Any office-bearer of the union or a member of the executive committee can be removed at the General Meeting of the members by a three-fourths majority for committing any fraud, having acted against the interests of UWISA or to put UWISA in disrepute, provided the office-bearer or the member to be removed is given reasonable opportunity to explain his conduct.
14. The Executive committee shall meet once a month or as often as found necessary on such days and at such place as may be fixed by the General Secretary in consultation with the President.
15. The presence of at least half members of the Managing Committee shall be necessary to form a quorum. No quorum is necessary for adjourned meetings.
16. At least two (2) days' notice shall be given for a Managing Committee meeting.
17. The President shall preside over all meetings of the union and the Executive, preserve order, sign all minutes and shall be allowed to give a casting vote only. The



President shall have power if necessary, to call special meetings of the Executive or of the union.

18. The General Secretary shall record minutes of all union and committee meetings, conduct all correspondence, convene all meetings, keep all accounts, exercise a supervision over the affairs of the union and shall also keep a correct account of all receipts and expenditure. He shall prepare a balance-sheet annually showing clearly every item of receipts and expenditure. He shall be responsible for submitting to the Registrar of Trade Unions all returns and notice that should be sent to that officer under the South African Trade Unions Act. He shall have power to engage, in consultation with the President and subject to the approval or confirmation of the Managing Committee, any assistants for organizing and clerical purposes if he considers necessary, and all such assistants shall be under the control of the General Secretary.
19. The Deputy General Secretary shall generally assist the General Secretary in carrying out his duties, and shall perform the duties of the General Secretary in his absence.
20. The Treasurer shall be responsible for all moneys which may from time to time be paid into the union and for duly banking them. He/she shall make payments towards all expenditure sanctioned by the Managing Committee. He/she shall not have the

power to draw money from the bank without first having the cheque signed by the President or the General Secretary.

21. There shall be held in the month of April or May an Annual General Meeting of all the members of the union to transact the following business:
  - 21.1 to adopt the report of the work done by the union and the audited statement of accounts;
  - 21.2 to elect the office-bearers and other members of the Managing Committee for the current year; and
  - 21.3 to transact such other business as may be brought forward with the permission of the Chairman.
22. The President may call a General Meeting of the members of the union whenever he thinks necessary by giving 15 days' notice to the members and shall call it on a requisition signed by one-fifth of the total strength of the union within 20 days of the receipt of the requisition. The quorum for the General Meeting shall be one-third of total membership. No quorum is necessary for adjourned meetings.
23. The general funds of the union shall consist of the admission fees, subscriptions from members, donation etc. They shall be deposited in a bank or banks, approved by the Managing Committee in the name of the union and the account may be

operated by the Treasurer and either the President or the General Secretary.

24. The union shall make the provision for the annual audit of the accounts of the union by competent auditors appointed by the Executive in accordance with the provisions of trade regulations applicable to the union.
25. The rules may be amended, altered, rescinded or added to at any time by a majority of the members present at a General Meeting provided a previous notice of at least seven days is given to the members of the proposed amendments, etc.

## **26. Amendments**

- 26.1 This Constitution, or any portion thereof, may only be amended or repealed by way of a resolution passed by the executive committee during the course of the special meeting.
- 26.2 At the special meeting a vote shall be exercised by way of two-thirds majority and the Chairperson shall have a casting vote.

## **27. The dissolution of the Union**

- 27.1 The union shall not be dissolved except by the vote of a majority of three-fourths members present at a General Meeting called for the purpose, provided the total number of votes cast at such a meeting is not less than two-thirds of the total number of the members then on the rolls of the union.

27.2 On the dissolution of the union the executive shall send a notice of dissolution to the Registrar and shall also make arrangements for winding up the union and to distribute its assets.

SIGNED AT **JOHANNESBURG** ON THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_ **2025**

As witness

**Signature of President**

1. \_\_\_\_\_

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As witness

**Signature of General Secretary**

2. \_\_\_\_\_

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