

# STATUTE OF CONFEDERATION OF AUTONOMOUS TRADE UNIONS OF SERBIA

## I. BASIC PRINCIPLES

1. Confederation of Autonomous Trade Unions of Serbia is an interest organization realizing and protecting labour, economic, social and professional interests and rights of members of the autonomous trade unions organized in the Confederation.
2. The Confederation of Autonomous Trade Unions of Serbia is independent and autonomous in relation to the employers, employers' associations, state authorities, or political parties.
3. Functioning of the Confederation of Autonomous Trade Unions of Serbia is based on principles of democratic fashion of operation, distribution of tasks and spheres of competence, on decision-making and elections, equality in rights between sexes, solidarity, work coordination, responsibility, and transparency of work. Fundamentals of action of the Confederation of Autonomous Trade Unions of Serbia are to be found in its Programme, this Statute, in the Constitution and legislation of this country, collective agreements and ratified international conventions related to the realm of labour. Through its action the Confederation of Autonomous Trade Unions of Serbia is advocating the rule of law and further construction of a legal and socially fair state, and market economy based on balance and partnership between labour and capital.
4. Mode of organization of the Confederation of Trade Unions of Serbia features a combination of branch and territorial principles.
5. The Confederation of Autonomous Trade Unions of Serbia is organized by autonomous trade unions of Serbia, that is, trade unions of Serbia. Within the Confederation of Autonomous Trade Unions of Serbia the autonomous trade unions of Serbia make agreements, plan, coordinate and carry out tasks and actions of common interest to the entire membership. In pursuance of demands and interests of its membership the autonomous trade unions of Serbia arrange their territorial patterns. The statutes and programmes of the autonomous trade unions of Serbia are not to be in contradiction with the Programme of the Confederation of Trade Unions of Serbia, nor with this Statute.
6. The trade union organization of autonomous trade unions presents a basic form of organizing of members in the autonomous trade unions of Serbia. The organized trade union members employed by employers in kindred branches and activities organize their autonomous trade union of Serbia. Members' belonging to a given autonomous trade union is determined by the code of predominant activity, branch, that is, then code of their employers' group.
7. Organized within the Confederation of Autonomous Trade unions of Serbia are federations of autonomous trade unions of the Serbian Provinces, City of Belgrade, and other cities across the country, which are constituted by trade unions organized in the Provinces, in the City of Belgrade, and other cities. The Confederation Autonomous Trade Unions forms the federations of autonomous trade unions for a number of municipalities, and municipalities where there are trade union headquarters for the given territory. The municipalities lacking minimal conditions for independent trade union cooperation set up their own trade union committees. In pursuance of certain

common interests of its membership the Confederation of Autonomous Trade Unions of Serbia can collaborate and undertake joint action with, trade union centres and unaffiliated trade unions, as well as with social and non-governmental organizations.

8. The Confederation of Autonomous Trade unions of Serbia can join international trade union organizations. The Confederation of Autonomous Trade Unions of Serbia develops and enhances cooperation with national trade union organizations of other countries.
9. In the realization of interests and protection of rights of its membership the Confederation of Autonomous Trade Unions of Serbia uses all democratic, legal and legitimate means and methods of trade union action and struggle.

## II. AREA OF OPERATION, HEADQUARTERS, AND EMBLEM

Art. 1. The Confederation of Autonomous Trade Unions of Serbia functions within the area of the Republic of Serbia. Its head office is situated in Belgrade, Decanska 14.

Art. 2. The Confederation of Autonomous Trade Unions of Serbia has a property of legal person and seal. The seal of the Confederation of Autonomous Trade Unions of Serbia is shaped as a circle of 5 cm in diameter, encompassing the following text : “ Confederation of Autonomous Trade Unions of Serbia, Beograd”, with the CATUS emblem in the centre. The text of the seal is in Serbian language and in Cyrillic script.

Art. 3. The Confederation of Autonomous Trade Unions of Serbia has its own flag, which is blue in colour, 2m in length, and 1m wide, with the CATUS emblem white in colour and containing the following text : Confederation of Autonomous Trade Unions of Serbia.

Art. 4. The trade union organization of the Confederation of Autonomous Trade Unions of Serbia, autonomous trade unions of Serbia and federations of autonomous trade unions of Provinces, of the City of Belgrade, other Serbian cities, groups of municipalities and individual municipalities all have property of legal persons and seal. The subjects, i.e. legal persons quoted in Para. 1. of this Article must bear the emblem of the Confederation of Autonomous Trade Unions of Serbia within their own emblems. The seals of the federation of autonomous trade unions in the territory and of the autonomous trade unions of Serbia contain the words: “Confederation of Autonomous Trade Unions of Serbia”. The text of the seal is inscribed in Serbian language, Cyrillic script. In multiethnic areas the text of the seal is also inscribed in the languages of national minorities.

## III. CONFEDERATION OF AUTONOMOUS TRADE UNIONS OF SERBIA

Art. 5. Within the Confederation of Autonomous Trade Unions of Serbia the autonomous trade unions of Serbia bring into congruence their own special and specific interests, participate in formation of common and general interests of the overall membership, and engage themselves in realization of these, following the principles of mutuality and solidarity. In the realization and protection of common and general interests of the entire membership and of all autonomous trade unions of Serbia the Confederation of Autonomous Trade Unions of Serbia :  
- determines the action strategy on the issues contained in the Programme of the Confederation of Autonomous Trade Unions of Serbia ;  
- concludes General

Collective Agreement and builds up common bases for further development of collective agreements system; - raises initiatives, formulates positions, and addresses demands to competent organs on questions of essential importance for economic and social status of the entire membership, which are to be regulated by systemic or other provisions; - organizes and conducts general strike, analyses the course thereof and draws up a final analysis after the strike is ended; - secures legal assistance for trade union organizations of autonomous trade unions, and fee legal-labour protection for rank and file in the realization of their rights and interests deriving from their work and employment; - takes part in the work of the Economic-social Council of the Republic, as well as in the management and handling of social security funds (retirement and disability, labour market, health care fund and social child care fund); - organizes training of members and trade union activists for trade union activity; - secures dissemination of information within the trade unions and information of public on its actions, positions and decisions; - on principles of mutuality and solidarity sets up trade union funds to extend material assistance to temporarily unemployed members, the disabled at work, the ailing members, and members who are on strike; - secures conditions for rest, recovery and recreation in order to prevent disability or reduced work ability of trade union members; upgrades material foundation of the Confederation of Autonomous Trade Unions of Serbia, and develops trade union entrepreneurship; - develops international trade union cooperation based on principles of equality in rights and solidarity; - extends assistance to, and supports activities of the autonomous trade unions of Serbia on their request; - intermediates in resolving disputes arising between individual autonomous trade unions of Serbia, and sets up arbitration for settlement of such disputes; - awards its highest recognition, Medallion of the Confederation of Autonomous Trade Unions of Serbia, to individuals and organizations of merit; - is also actively engaged in other questions of common and general interest to all autonomous trade unions and to the entire membership.

Art. 6. Collective members in the Confederation of Autonomous Trade Unions of Serbia are republican organizations of pensioners and disabled at work, as well as other organizations accepting the Statute and Programme of the Confederation of Autonomous Trade Unions of Serbia.

Art. 7. Following are organs of the Confederation of Autonomous Trade Unions of Serbia : Congress – Council Auditing Committee, and Statutory Committee.

Art. 8. Congress is the supreme organ of the Confederation of Autonomous Trade Unions of Serbia, and is held once in four years at least. Decision to convene the Congress and draw up its agenda is made by the Council of the Confederation of Autonomous Trade Unions of Serbia three months beforehand at latest.

Art. 9. Two thirds of delegates to the Congress are elected by the highest organs of of the autonomous trade unions of Serbia, and one third of the Congress delegates are elected also by the federations in the territory, in proportion with the membership numbers , in keeping with the Decision of the Council of the Confederation of Autonomous Trade Unions of Serbia. The number of delegates to the Congress is determined by the Council of the Confederation of Autonomous Trade Unions of Serbia on the basis of the number of membership fees paying members in the year prior to the Decision made as under the para. 1 of this Article. Members of the preceding

Council, the Auditing and the Statutory Committees of the Confederation of Autonomous Trade Unions of Serbia are also Congress delegates ex officio.

Art. 10. The Congress : - verifies the election of Congress delegates; - appoints its working bodies; - adopts Standing Orders; - adopts the report on the work of the Confederation of Autonomous Trade Unions of Serbia between the two Congresses; - adopts report of the Auditing Committee on the results of its auditing job; - adopts the report of the Statutory Committee;

- adopts the Programme of the Confederation Autonomous Trade Unions of Serbia;
- passes the Statute, i.e. amendments or supplements to the Statute of the Confederation of Autonomous Trade Unions of Serbia;
- releases members of organs of the Confederation of Autonomous Trade Unions of Serbia elected in the preceding period;
- verifies election of members of the Council of Confederation of Autonomous Trade Unions of Serbia;
- elects President of Confederation of Autonomous Trade Unions of Serbia;
- elects Auditing and Statutory Committees of Confederation of Autonomous Trade Unions of Serbia;
- resolves complaints and requests addressed to the Congress.

- Article 11.

- The Congress decisions are fully valid if attended by over two thirds of delegates, and its decisions are passed if voted for by more than one half the number of delegates present.

- Article 12.

- Extraordinary Congress is convened on explicated demand of autonomous trade unions of Serbia which organize at least one half of the total number of membership, or on demand of the Confederation of Autonomous Trade Unions in the territory that cover at least half the number of membership.

- Decision on convocation, composition, and agenda of the extraordinary congress is passed by the Council of Confederation of Autonomous Trade Unions of Serbia.

- The decision referred to in para. 2. of this Article can also be made by the Council of Confederation of Autonomous Trade Unions of Serbia on its own initiative, raised by two thirds majority of all Council members.

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- Article 13.

- The Council is the highest organ of the Confederation of Autonomous Trade Unions of Serbia between two Congresses.

- The Council of the Confederation of Autonomous Trade Unions of Serbia is composed of two thirds of representatives of the autonomous trade unions of Serbia and one third of representatives of the Confederation of Autonomous Trade Unions in the territory, proportionate with numbers of membership.

- The number of members of the Council of Confederation of Autonomous Trade Unions of Serbia is derived from the number of trade union members who have paid their membership fees in the year prior to the decision to convene the Congress.

- Added to the number of members mentioned in the preceding paragraph are also those who have not been paying their membership fees for justified reasons.
- Decision on the number and structure of members of the Council of Confederation of Autonomous Trade Unions of Serbia is made by the Council of Confederation of Autonomous Trade Unions of Serbia
- Article 14.
- In fulfillment of tasks ensuing from Art. 5. of this Statute, the Council of Confederation of Autonomous Trade Unions of Serbia :
  - adopts Standing Orders and other normative acts necessary of the work of the Council and functioning of the Council of Confederation of Autonomous Trade Unions of Serbia;
  - adopts annual plans of work and reports on activities of Presidency between two sessions of the Council;
  - fixes strategic directions of activity on realization of projects;
  - concludes General Collective Agreement;
  - makes Decision on organization of general strike by two thirds majority vote of all Council members;
  - passes decisions on organization of public debates;
  - works out draft documents for the Congress;
  - decides on formation of the Confederation of Autonomous Trade Unions of a group of, or individual municipalities;
  - nominates representatives of Confederation of Autonomous Trade Unions of Serbia to the Economic-social Council and other organs and bodies at the level of the Republic, which pass decisions on issues of importance to material and social status of trade union membership;
  - appoints commissions, councils, and other working bodies and determines domains of their work;
  - makes decision on establishment of legal assistance service of the autonomous trade unions of Serbia;
  - decides on admission to membership of the Confederation of Autonomous Trade Unions and on expulsion from the Confederation of Autonomous Trade Unions by two thirds majority vote;
  - makes decisions on informative activity, publishing activity, research work, and other professional activities for the needs of autonomous trade unions of Serbia;
  - decides on formation of trade union school of autonomous trade unions of Serbia and on other forms of training for trade union work;
  - determines basic positions in implementation of active employment policy;
  - engages itself in protection of material and social status of the retired, disabled, and temporarily unemployed workers – trade union members;
  - passes decisions on affiliation of the Confederation of Autonomous Trade Unions of Serbia with

international trade union organizations, on delegating representatives to these organizations, and supervises their work;

- - develops international trade union cooperation of Confederation of Autonomous Trade Unions of Serbia with trade union centres of other countries;
- - passes the income and expenditure plans of Confederation of Autonomous Trade Unions of Serbia and funds established at the Confederation, and adopts annual report on material-financial operation;
- - passes act on material-financial operations of autonomous trade unions of Serbia;
- - makes decision on foundation of enterprises or other legal persons, and as a founder or co-founder elects representatives to organs of these legal persons, considers their reports at least once a year;
- - makes decision on dissolution of organs of the Confederation of Autonomous Trade Unions of a municipality, a number of municipalities, city, City of Belgrade, Province, when the said organ acts in opposition to the Programme and this Statute, unless this is done directly by higher organ of the Confederation;
- - decides on revocation of president of Confederation of Autonomous Trade Unions of Serbia between two Congresses;
- - elects president of Confederation of Autonomous Trade Unions of Serbia between two Congresses;
- passes other decisions, positions, or conclusions that are of interest for realization of the role of Confederation of Autonomous Trade Unions of Serbia.

#### Article 15.

Sessions of the Council are called by president of Confederation of Autonomous Trade Unions of Serbia, while they are also convoked on demand of one third of Council members or on demand of Auditing or Statutory Committee.

#### Article 16.

Auditing Committee of Confederation of Autonomous Trade Unions of Serbia supervises legality of financing, distribution and management of funds raised from collection of membership fees and other revenues and means.

Auditing Committee calls for Council session only in case of suspected irregularities in the material-financial business operation.

All documents necessary for its work must be made accessible the Auditing Committee.

- In its supervisory work the Auditing Committee ;
- - peruses periodical and Annual balance sheets of management organs of autonomous trade unions of Serbia, and establishes whether these are worked out in accord with Law;
  - reports to the Council on annual accounting charts and reports on business operation of organs in the Confederation of Autonomous Trade Unions of Serbia;
  - supervises distribution and payments of membership fees and proposes distribution of the said funds in keeping with the Statute;
  - gives opinion on distribution of incomes;
  - nominates trade union inspectors and considers their reports;
  - passes Rules on its work.

- The Auditing Committee counts five members and elects its president from among these members.

- Two thirds of members of the Auditing Committee are elected on branch principle, and one third in accord with territorial representation; members of the Council may not be members of the Auditing Committee.

- Article 17.

- Statutory Committee of Confederation of Autonomous Trade Unions of Serbia :

- monitors application of this Statute checks up congruence of the statutes of autonomous trade unions of Serbia and of statutory documents of autonomous trade unions in the territory with this Statute;
- renders interpretation of this Statute;
- proposes the Council individual amendments and supplements to this Statute;
- proposes the Statute, i.e. amendments or supplements thereto to the Congress;
- Statutory Committee counts nine members, one of whom is elected president;

- Two thirds of members of the Statutory Committee are elected from branches, and one third according to territorial representation, provided that Council members may not be members of the Statutory Committee.

- Article 18.

- Presidency is organ of the Council and is accountable for its work to the Council.

- The Council decides on number and composition of Presidency of the Council. President of Confederation of Autonomous Trade Unions of Serbia, Vice-presidents, secretary of the Council and presidents of trade unions and autonomous trade unions (according to the quota fixed by the Council), presidents of councils of autonomous trade unions of provinces, City of Belgrade and other cities are ex officio members of Presidency.

- Members of Presidency are elected by the Council from within the Council members.

- Article 19.

- Presidency of the Council :

- - deliberates on questions in the sphere of competence of the Council and prepares and proposes decisions and conclusions to be made by the Council, taking stands, and adoption of appropriate acts;

- - carries out positions, decisions and conclusions of the Council;

- - advances proposals with state organs in charge for laws or other legislative provisions to be passed or amended;

- - issues instructions for work and regularly considers reports of representatives of Confederation of Autonomous Trade Unions of Serbia in the Economic-social Council and other organs and bodies at the level of the Republic;

- - negotiates with state organs and employers' associations and acquaints the Council with the course of negotiations;

- - decides on establishment of cooperation with other trade union centres, trade unions outside the Federation, social and non-governmental organizations;

- - attends to material-financial business operations, funds and property of Confederation of Autonomous Trade Unions of Serbia;

- - undertakes measures for timely and truthful information of membership and general public about the work of organs of Confederation of Autonomous Trade Unions of Serbia;

- organizes, develops, and enhances recreational holiday schemes, and work on prevention of disability occurrences among the employed – trade union members;

- employs efforts on humanization and improvement of the conditions of work, on development of inventors' and innovators' activities;

- organizes and follows functioning of Technical- expert Service;

- appoints members, presidents and secretaries of standing and ad hoc working bodies;

- passes decisions and adopts acts within its domain of competence;

- presents report to the Council on its work between two sessions of the Council.

- Article 20.

- President of Confederation of Autonomous Trade Unions of Serbia represents and publicly stands for Confederation of Autonomous Trade Unions of Serbia.



- President of Confederation of Autonomous Trade Unions of Serbia is at the same time President of its Council and Presidency.
- President presides over sessions of the Council and Presidency and is answerable for implementation of policy of Confederation of Autonomous Trade Unions of Serbia.
- President of Confederation of Autonomous Trade Unions of Serbia is elected by Congress on the basis of proposals from highest organs of autonomous trade unions, Congress delegates and territorial organizations of Confederation of Autonomous Trade Unions, and trade union organizations of autonomous trade unions.
- Article 21.
- From among its members the Council elects secretary on proposal of highest organs of autonomous trade unions, Confederation of Autonomous Trade Unions in the territory, and Council members.
- Secretary of the Council of Confederation of Autonomous Trade Unions of Serbia organizes the work and carries out decisions, conclusions, positions and acts of the Council and Presidency, organizes and is accountable for, functioning of technical-expert services of the Council, does jobs as enjoined by President of the Council, and replaces the President when he/she is impeded or absent.
- Article 22.
- Vice- presidents are elected from among the Council members on proposal of President of Confederation of Autonomous Trade Unions of Serbia.
- Vice-presidents of the Council follow the state of affairs and problems in the given areas of activity and work on realization of positions and decisions made by the Council and Presidency, perform the tasks ordered by President, and are accountable in the domain of their work to the President and the Council/

#### IV. AUTONOMOUS TRADE UNIONS OF SERBIA

##### Article 23.

In accord with the principles of this Statute, the Autonomous Trade Unions of Serbia regulate in more detail their own spheres of competence, levels and ways of organizing, and other questions essential for their functioning.

##### Article 24.

Autonomous Trade Unions of Serbia are obliged to carry out positions and decisions of organs of Confederation of Autonomous Trade Unions of Serbia that are of common interest in conformity with Article 5. of this Statute.

##### Article 25.

Decision to admit a new trade union of Serbia the Confederation of Autonomous Trade Unions of Serbia is made by the Council.

Registration of an autonomous trade Unions of Serbia in head office of the Confederation of Autonomous Trade Unions of Serbia as under paragraph 1 of this Article made with written approval of the Council.

Decision on admittance of an independent trade union of Serbia which comes into being from a part of membership of the existing autonomous trade

unions is made by the Council after it has obtained opinion of the autonomous trade union concerned.

#### Article 26.

Decision on resignation of an autonomous trade union of Serbia from the Confederation of Autonomous Trade Unions of Serbia is made by the highest organ of the autonomous trade union.

Authorized representative of the Council of Confederation of Autonomous Trade Unions of Serbia is obligatorily invited to attend the session of organ as quoted in Paragraph 1. of this article, at which the decision on resignation is discussed and made.

Decision on resignation of an autonomous trade union of Serbia from the Confederation of Autonomous Trade Unions of Serbia must be brought three months at latest prior to the date of resignation, and comes into force on expiry of that deadline.

Autonomous trade union of Serbia which has resigned from the Confederation is bound to settle all material-financial liabilities to the Confederation until the date the said decision comes into force.

#### Article 27.

Autonomous trade union of Serbia which does not carry out decisions of organs of the Confederation of Autonomous Trade Unions of Serbia, acts in contrariety with the Programme and this Statute, does not fulfill its material-financial commitments towards the Confederation ,or undertakes actions guided by partisan positions, may be excluded from the Confederation of Autonomous Trade Unions of Serbia.

Decision on exclusion as under the preceding paragraph is passed by the Council of Confederation of Autonomous Trade Unions of Serbia, by two thirds majority vote of all Council members, and the decision comes into force on the eighth day since the date of the decision.

Before decision-making on exclusion, the Council is obliged to warn the responsible organ of the autonomous trade union about existence of reasons for exclusion.

Autonomous trade union of Serbia which is excluded from the Confederation is bound to settle all material-financial liabilities to the Confederation prior to the date of enforcement of the decision mentioned in paragraph 2. of this Article.

On decision on exclusion the autonomous trade union has the right to appeal to the Statutory Committee.

The decision of the Statutory Committee is final.

#### Article 28.

As of the date of enforcement of decision on resignation, or exclusion, the autonomous trade union loses its right to use services or emblems of Confederation of Autonomous Trade Unions of Serbia.

#### Article 29.

Dispute between two autonomous trade unions organized within the Confederation of Autonomous Trade Unions of Serbia shall be settled by arbitration.

Parties engaged in dispute give one arbiter each, while three arbiters are nominated by the Council of Confederation of Autonomous Trade Unions of Serbia.

Decision of the arbitration is binding to the dissenting parties.

## V. CONFEDERATION OF AUTONOMOUS TRADE UNIONS OF SERBIA – TERRITORIAL ORGANIZATION

### Article 30.

Within the Confederation of Autonomous Trade Unions of Serbia organized are federations of autonomous trade unions of Provinces, City of Belgrade, and other cities.

The Federation of autonomous trade unions of Provinces, City of Belgrade, and other cities comprises trade unions organized for the territories of Provinces, City of Belgrade, and other cities.

### Article 31.

In accord with the Programme and role of Confederation of Autonomous Trade unions of Serbia, the Federation of Autonomous Trade Unions of Provinces, Federation of Autonomous Trade Unions of Belgrade, and Federation of Autonomous Trade Unions of cities :

- address initiatives, establish cooperation, and negotiate with respective authority organs of territorial autonomies, i.e. self-governments and with employers' associations at the levels of Provinces, City of Belgrade, and other cities on all questions of significance to material and social status of trade union membership;
- participate in making stands and determination of actions of Confederation of Autonomous Trade Unions of Serbia, and are responsible for implementation of these in the area of Provinces, City of Belgrade, and other cities;
- raise initiatives to have systemic legal provisions or General Collective Agreement passed or amended, addressing them to organs in charge of Confederation of Autonomous Trade Unions of Serbia for further procedure;
- elect a given number of members of organs of autonomous trade unions of Serbia, in accordance with decision of the Council of autonomous trade unions of Serbia;
- coordinate the activities of trade unions organized in the Provinces, City of Belgrade, and other cities, and on basis of mutuality and solidarity secure conditions for their work;
- pass decision on formation of Federation of Autonomous trade unions of municipalities and a number of municipalities in the territories of Provinces, City of Belgrade and other cities, while verification of this decision lies with the Council of Confederation of Autonomous Trade Unions of Serbia;
- coordinate the activities of Federation of autonomous trade unions of individual municipalities and group of municipalities in the territories of Provinces, City of Belgrade and other cities;
- define common bases for conclusion of individual collective agreements for the territory of the Provinces, City of Belgrade, and other cities;
- extend legal assistance to trade union organizations of autonomous trade unions and free labour-legislative protection derived from and based on, employment to trade union membership;

- organize training of members and trade union activists, and provide for information of membership and general public about their own work and activity of the Confederation of Autonomous Trade Unions of Serbia on the whole;
- pass acts necessary for their own work and realization of the role defined in this Statute;
- set up trade union funds;
- provide for and organize recreational holiday schemes for trade union members, in order to prevent work disability or reduced ability to work;
- look after properties at their disposal, see to upgrading of material foundation of operation, and set up enterprises or other legal persons;
- decide on dissolution of organs of federation of autonomous trade unions of municipalities, or a number of municipalities in the territory of Province, City of Belgrade or in other cities in cases when this Statute or Programme of Confederation of Autonomous Trade Unions of Serbia are violated;
- fulfill other duties implied in this Statute.

Article 32.

Organs of the Federation of Autonomous Trade Unions of Province are following : Provincial Conference, Council, Auditing Committee and Statutory Committee.

Organs of the Federation of Autonomous Trade Unions of the City of Belgrade and other cities are as follows : electoral convention, council, auditing committee and statutory committee.

Organs quoted in paragraphs 1 and 2 of this Article are composed in the following way

: two thirds of their members are elected in trade unions, and one third of members are elected by federations of autonomous trade unions of municipalities and groups of municipalities in the territory of Province, i.e. City of Belgrade.

Article 33.

Abiding by provisions of this Statute, federations of autonomous trade unions of Provinces, City of Belgrade and other cities stipulate in closer detail in their own statutes the levels and ways of their own organizing, contents and modes of their activities in realization of their respective tasks contained in Article 31. of this Statute.

Article 34

Confederation of Autonomous Trade Unions of Serbia forms federations of autonomous trade unions of Serbia for a number of municipalities and individual municipalities which must have personnel, material, organizational and financial conditions necessary for successful realization of programme tasks and activities fixed in this Statute.

For municipalities which do not meet the conditions from the preceding paragraph of this Article trade union committees are set up.

Decision on formation of trade union committee, its composition and domain of work is made by the respective Council of Confederation of Autonomous Trade Unions for a number of municipalities or for individual municipalities.

Article 35.

Organs of Confederation of Autonomous Trade Unions for a number of municipalities are as follows: council and auditing committee.

In the areas registering larger number of membership, from among the council members presidencies may also be elected as their executive organs.

When setting up organs of the Federation of Autonomous Trade Unions for a number of or individual, municipalities it is seen that trade unions formed as autonomous trade union organizations from economic branches which have no trade union headquarters in that territory be proportionately represented.

When preparing elections the councils decide on the number, composition and mode of election of members of organs of the Confederation of Autonomous Trade Unions for a number of and individual, municipalities, as provided by the rules on operation.

#### Article 36.

Confederation of Autonomous Trade Unions of a city for a number of municipalities, i. e. municipality:

- develops cooperation, negotiates and engages its efforts in realization of interests and demands of the entire membership with local self government organs;
- carries out decisions of higher organs of Confederation of Autonomous Trade Unions and conducts joint actions;
- advances proposals, demands and initiatives for higher organs of Confederation of Autonomous Trade Unions to take stands, make decisions, and conduct actions;
- in cooperation with corresponding trade unions extends assistance to autonomous trade union organizations;
- secures free labour-legislative protection for trade union members;
- gives aid in conducting activities and coordinates operation of the formed trade union organs;
- undertakes efforts in training of trade union activists and membership for trade unionist work;
- takes care of information of membership and general public about its own work and about the activity of Confederation of Autonomous Trade Unions of Serbia as a whole;
- attends to organization of recreational holiday schemes for membership with a view to prevent occurrence of work disability or reduced ability for work;
- organizes functioning of professional/technical staffs;
- looks after property of Confederation of Autonomous Trade Unions, sets up resource funds and engages its forces in marketing promotion;
- in cooperation with corresponding trade union passes decision on dissolution of organ of autonomous trade union organization if the said organ acts in opposition to the Programme and this Statute, at the same time making decision on nomination of an interim organ to take over the role and functions of the dissolved organ pending election of a new organ;
- in agreement with pertinent trade union convenes session of organ of autonomous trade union organization if that is not done by president of autonomous trade union organization on demand from one third of

members of the organ, i.e. one third of members of trade union organization;

- stipulates common bases for conclusion of individual collective agreements for territory of a number of municipalities, i.e. municipality, with trade unions in the territory;
- performs other jobs ensuing from the role fixed by this Statute.

- Article 37.

- Trade Union Committee :

- takes positions and represents membership's interests before local self-government organs;
- directly, or in cooperation with the Council of Confederation of Autonomous Trade Unions for a number of municipalities renders assistance to trade union organizations of autonomous trade unions in their work, and to trade union membership;
- takes care of dissemination of information for membership and general public about its own work and about the activities of the entire Confederation of Autonomous Trade Unions of Serbia;
- works on realization of attitudes, decisions, and actions of trade union organs and of Confederation of Autonomous Trade Unions;
- addresses proposals, stands, or initiatives to higher organs of trade unions and to Confederation of Autonomous Trade Unions;
- also carries out other jobs, in accord with interests of membership, and based on the decision on establishment of trade union committee and on this Statute.

- On proposal of trade union committee, council of the Confederation of autonomous trade unions for a number of municipalities decides nomination of trade union representative. The trade union representative is an ex officio member of the council of Confederation of Autonomous Trade Unions for a group of municipalities and member of presidency of the Council if the latter is formed.

- Article 38.

- Constitutive session of the Council of Confederation of Autonomous Trade Unions for a number of municipalities and municipality, in keeping with decision of Council of Confederation of Autonomous Trade Unions of Serbia on elections, is held every fourth year.

- The constitutive session comprises members of the council an incoming and outgoing members of the auditing committee

- At the constitutive session the council verifies election of newly elected members of the auditing committee considers and adopts report on four years' work of the council, report of the auditing committee. Programme tasks for the next four years' period, rules on work, issues notice of release for the outgoing members of the council and of auditing committee.

- On their release, outgoing members of council and of Auditing committee have no decision-making rights.

- Article 39

- Federations of autonomous trade unions for a number of municipalities and individual municipalities produce their own rules

on work to regulate more precisely their state of organization, contents and modes of their activity, in congruence with this Statute.

- Article 40
- Auditing Committees of Confederation of Autonomous Trade Unions, Provinces, City of Belgrade, cities, a group of municipalities, and municipalities supervise implementation of policies of financing, distribution, and use of trade union membership fees funds, use of otherwise raised funds, use and handling trade union properties; at least once a year present their auditing results to the Council, and propose measures to be undertaken to improve state of affairs.
- Auditing Committee elects one of its members as president.
- Decision on number of members, composition, and mode of election of auditing committee is passed by the Council of Confederation of Autonomous Trade Unions of Province, City of Belgrade, a group of municipalities, i.e. municipality.
- Article 41.
- Councils of Confederation of Autonomous Trade Unions of Provinces, City of Belgrade, cities, a group of municipalities and municipalities elect their presidents and secretaries from among their own members.
- In the areas with sizable number of trade union membership the councils may also elect vice-presidents.
- President of the council represents and stands for the Confederation, presides over the sessions of the council and presidency, in cases that the latter is formed, and is responsible for implementation of resolutions, positions, and conclusions passed by the council.
- Secretary of the council organizes the work on realization of the stands and conclusions passed by the council, is responsible for functioning of professional/technical service of the council, does his/her job as enjoined by the president, and replaces the president when the latter is absent or engaged otherwise.
- Vice-president observes state of affairs and problems in the given areas of council's functioning, proposes appropriate measures and actions to be taken, and is engaged in realization of these. He does his work as enjoined by the president, and is accountable for his domain of work.

## VI. COMMON PROVISIONS ON FUNCTIONING OF CONFEDERATION ORGANS

### Article 42.

Functioning of organizations and organs of Confederation of Autonomous Trade Unions is open to public.

Members of organs of Confederation of Autonomous Trade Unions have equal rights and responsibilities and are personally and collectively responsible for the work of organs they are members of, commensurately with the function they perform.

### Article 43.

The work of organs of the Confederation of Autonomous Trade Unions is fully valid if the session is attended by more than half the number of their members, and decisions are passed by two thirds majority vote of the present members.

Article 44.

Mandate in office of members of organs and holders of functions in the Confederation of Autonomous Trade Unions lasts four years, and may be repeated.

In cases of termination of membership in an organ, i.e. termination of function in the course of mandate period, newly elected members of organs and holders of office enjoy the mandate until the regular elections.

Article 45.

Organs of autonomous trade unions may set up working bodies as standing or provisional forms of their activity.

Composition and domain of work of the working bodies mentioned in paragraph 1. of this article are defined by decision of the corresponding organ of the Confederation of Autonomous Trade Unions.

## VII. TRADE UNION ORGANIZATION OF AUTONOMOUS TRADE UNIONS AND TRADE UNION MEMBER

Article 46.

The employed in a company, i.e. establishment or the like, organize their trade union organization of autonomous trade unions.

Independent self employed persons in their line of trade, as well as the unemployed, form their trade union organizations with the Confederation of Autonomous Trade Unions in the territory or in their professional associations.

Article 47.

State of organizing and spheres of competence of trade union organizations of autonomous trade unions are regulated by the statutes of autonomous trade unions of Serbia.

Ways of functioning and activity of trade union organizations in enterprises undergoing bankruptcy procedures are regulated in trade unions' statutes.

Trade union organizations of autonomous trade unions are entitled to put up as candidates members of organs and holders of office in the Confederation of Autonomous Trade Unions of Serbia, and are obliged to pay membership fees according to quotas stipulated in this Statute.

Article 48.

Basic rights and responsibilities of members of autonomous trade unions organized in Confederation of Autonomous Trade Unions of Serbia are listed below:

- price of labour and earnings as provided for in the collective agreement;
- safety at work and conditions of work in keeping with law and with collective agreement;
- free legal assistance in the exercise of labour rights and rights deriving from employment;
- prevention of work disability and launching recreational holiday schemes;
- use of assistance from trade union funds;



- right to propose, elect and be elected to organs of autonomous trade unions and of Confederation of Autonomous Trade Unions;
- right to be informed;
- to be educated and trained for trade unionist activity;
- to observe the statutes, programmes, and decisions of autonomous trade union and of the Confederation of Autonomous Trade Unions of Serbia, and
- pay membership fee.
- Members of autonomous trade unions organized in the Confederation of Autonomous Trade Unions of Serbia who are left without work (temporarily unemployed) realize their rights through mediation and assistance in entering employment, as well as obtaining of labour-legal protection in accord with the statute of the respective autonomous trade union of Serbia.
- Members of autonomous trade unions who are retired are entitled to get labour-legal protection in accord with the statute of the respective autonomous trade union of Serbia, and members of autonomous trade unions of Serbia who have received notice of dismissal, if they have filed a suit, retain their complete trade union status pending legal validity of the court sentence.

## VIII. PROVISIONS ON ELECTIONS

### Article 49.

Elections for members of organs and holders of offices in the autonomous trade union organizations, autonomous trade unions of Serbia, federations of autonomous trade unions in the territory and in the Confederation of Autonomous Trade Unions of Serbia, are carried out every fourth year, following decision of the Council of Confederation of Autonomous Trade Unions of Serbia.

Exceptionally, elections can be held in the course of duration of the mandate when this becomes an indispensable requirement for the work of organizations and organs quoted in this Article.

### Article 50.

President of the Confederation of Autonomous Trade Unions of Serbia, members of organs and office holders in the organs of Confederation of Autonomous Trade Unions are elected by secret vote from among a number of candidates.

Every one of the proposed candidates is obliged to declare his/her acceptance of the candidature, thereby acquiring the right to be on candidates' list.

Candidate for most responsible offices may be placed on only one list of candidates.

Candidates, list is drawn up after alphabetical order of candidates surname initials.

Elected is the candidate winning over one half of votes of the total number of members of organs.

The second round of vote is conducted for candidates who have not obtained the necessary number of votes as under this Article.

Candidates who have won the largest number of votes in the first round run for the second round, with one more candidate than the number to be elected.

Candidates who score the highest figures in second round vote are elected. In case that two or more candidates win equal number of votes, elected is the candidate No. 1 on the voting list.

Article 51.

Capacity of member of organs of the Confederation of Autonomous Trade Unions of Serbia shall be abrogated for the following reasons :

- termination of membership in trade unions;
- unjustified absence from sessions, three sessions in succession at least,
- resignation,
- recall,
- expiry of organ's mandate in office.

Article 52.

Office holders in the organs of Confederation of Autonomous Trade Unions terminate their functions because of:

- resignation,
- recall
- expiry of organ's mandate in office.

Article 53.

Members of organs and office holders in the Confederation of Autonomous Trade Unions of Serbia are recalled in the following cases:

- disregard of Programme of Confederation of Autonomous Trade Unions of Serbia and of this Statute,
- when decisions of organs are not carried out,
- damage caused to the Confederation as a result of their activity.

Article 54.

Proposal to recall an office holder from an organ of Confederation of Autonomous Trade Unions may be submitted by :

- organ of autonomous trade union on the corresponding level of organization,
- organ of the Confederation of Autonomous Trade Unions in the territory,
- organs of trade union organizations of autonomous trade unions and individual trade union organizations of autonomous trade unions from the pertinent autonomous trade union,
- member of organ in which the function is performed.

Vote on the motion takes place following acceptance of proposal for the recall.

Decision on recall is passed if voted for by more than one half of total number of members of the organ.

Decision passed as described in the paragraph above is forwarded for further procedure to the organ which elected the recalled office holder as member of the recalling organ.

- In case of negative vote on the decision contained in paragraph 4 of this Article, a new proposal for recall may be submitted after six months.

Article 55.

Members of organs of the Confederation of Autonomous Trade Unions of Serbia are revoked by the organs that elected them.

Article 56.

Simultaneously with the decision on cessation of function in the organ of Confederation of Autonomous Trade Unions quoted in Article 52, decision is passed on nomination of acting member in office pending election of a new office holder.

Article 57.

Between two Congresses, the function of president of Confederation of Autonomous Trade Unions of Serbia may cease :

- by resignation, and
- by revocation.
- President of Confederation of Autonomous Trade Unions of Serbia submits resignation to the Council of Confederation of Autonomous Trade Unions of Serbia.
- Revocation of president of the Confederation of Autonomous Trade Unions of Serbia shall be conducted in cases fixed in Article 53. of this Statute, on an explicated proposal from : one third of members of the Council or autonomous trade unions of Serbia which organize at least one half of membership, or federations of autonomous trade unions in the territory which comprise one half of membership at least.
- Proposal for revocation of president is discussed by the Council of Confederation of Autonomous Trade Unions of Serbia.
- Once the proposal for recall is accepted, declaring vote is conducted.
- Decision on revocation is passed if voted for by more than two thirds of the total number of Council members.

IX. PROPERTY OF CONFEDERATION OF AUTONOMOUS TRADE UNION OF SERBIA, AND MATERIAL AND FINANCIAL RESOURCES

Article 58.

Property of the Confederation of Autonomous Trade Unions of Serbia consists of real estates and movable assets, monetary resources, valuable papers, and ownership rights.

Sources of revenue of the Confederation of Autonomous Trade Unions of Serbia are following: membership fees, real estate revenues, incomes from business operations and marketing, donations, endowments, contributions, gifts, and means from other sources.

If an autonomous trade union of Serbia dissociates and organizes itself beyond the Confederation of Autonomous Trade Unions of Serbia, property or a part of property quoted in paragraph 1 of this Article may not be transferred onto the said trade union.

Article 59.

Property belonging to a form of organizing within the Confederation of Autonomous Trade Unions of Serbia, which is abolished or ceases to exist, is transferred without compensation onto immediate higher form of organizing.

Article 60.

Confederation of Autonomous Trade Unions of Serbia, autonomous trade unions of Serbia, and federations of autonomous trade unions in the territory independently finance their own activities.

Confederation of Autonomous Trade Unions of Serbia, autonomous trade unions, and federations of autonomous trade unions in the territory acquire, manage, and dispose of, their own property.

Article 61.

Management of and disposal with, property of the Confederation of Autonomous Trade Unions of Serbia is regulated by a general act of the Council of Confederation of Autonomous Trade Unions of Serbia, as the highest organ between two Congresses.

Article 62.

Membership fees in the Confederation of Autonomous Trade Unions of Serbia are uniform, amounting to 1 per cent of a member's earning, i.e. 0.50 per cent of pension, i.e. 0.50 per cent of compensation.

The membership fees quoted in paragraph 1 of this Article are allotted according to the following proportions and is paid only to current accounts of users as defined in Article 4, paragraph 1 of the Statute of the CATU of Serbia :

A) In trade union organization of autonomous trade union with employer in the territory of the Republic of Serbia, apart from the Autonomous province of Vojvodina, Autonomous Province of Kosovo Metohija, and the city of Belgrade, membership fee funds are allocated through three money transfer operations:

1. 50 per cent is paid to the current account of trade union organization of autonomous trade union with employer,
2. 28 per cent goes to the current account of the Confederation of Autonomous Trade Unions in the territory of municipality, for more than one municipality, i.e. cities of Nis and Kragujevac,
3. 22 per cent to the current account of the autonomous trade union (branch union).

B. In trade union organization of autonomous trade union with employer in the territory of the City of Belgrade the membership fee funds are handled through three money transfer operations as follows :

1. 50 per cent is paid to the current account of trade union organization of autonomous trade union with employer,
2. 33 per cent to the current account of the Confederation of Autonomous Trade Unions of the City of Belgrade,
3. 17 per cent to the current account of the autonomous trade union of Serbia (branch union).

C) In trade union organization of autonomous trade union with employer in the territory of the Province of Vojvodina, i.e. Province of Kosovo

and Metohija, membership fee funds are allocated through four money transfer orders according to the following pattern :

1. 50 per cent is transferred to the current account of trade union organization of autonomous trade union with employer,
2. 10 per cent goes to the current account of the Confederation of Autonomous Trade Unions of the Province of Vojvodina, i.e. Kosovo and Metohija,
3. 28 per cent to the current account of the Confederation of Autonomous Trade Unions of municipality, for more than one municipality, and for the City of Novi Sad,
4. 12 per cent to the current account of the autonomous trade union of Serbia (branch union).

Autonomous trade unions of Serbia are bound on every working day to transfer onto the current account of the Confederation of Autonomous Trade Unions of Serbia 25 per cent of the remitted membership fee funds to be used for financing of functions of the Confederation of Autonomous Trade Unions of Serbia.

Autonomous trade unions are obliged to stipulate the percentage of allotted means as under paragraph 3 of this article in a contract with the Confederation of Autonomous Trade Unions of Serbia, verified with the court of law in charge.

Autonomous trade union organizations may decide that membership fees should even be in excess of the amount fixed in paragraph 1. of this Article, and in keeping with the statute of the autonomous trade union.

Rules on material-financial operation, property and funds of trade unions and Confederation of Trade Unions of Serbia define mutual rights and responsibilities of member organizations of the Confederation.

#### Article 63.

Inspectors nominated by the Auditing Committee of the CATU of Serbia are authorized to get an insight into, and check up application of Article 62. in an autonomous trade union organization, autonomous trade unions, and Confederation of Autonomous Trade Unions at all levels of organizing.

Inspector is obliged within five days to inform the Auditing Committee of the CATU of Serbia in writing about all perceived cases of violation in application of Article 62.

On receipt of the information in written form the Auditing Committee is obliged within ten days to conduct detailed check up of disposal and use of membership fee funds, and in cases of disregard of Article 62. make an immediate proposal in writing to the Council of the CATU of Serbia, i.e. president of the CATU of Serbia to apply measures foreseen in the Article 53. of the Statute of the CATU of Serbia, i.e. to ask the respective autonomous trade unions of Serbia to undertake revocation of the president of trade union organization within 30 days.

In case that measures are not carried out, president of the CATU of Serbia proposes the Council of the CATU of Serbia to pass a resolution on revision of membership of the autonomous trade union in the Confederation of Autonomous Trade Unions of Serbia.

## X. TECHNICAL SERVICE

### Article 64.

Common technical services are set up for organs of the Confederation of Autonomous Trade Unions of Serbia, autonomous trade unions of Serbia, and federations of autonomous trade unions in the territory.

Technical services perform jobs in labour-legal protection, expert-analytical, informative, accounting-financial, and clerical-technical jobs.

The Services can also perform other jobs for autonomous trade unions of Serbia, in accordance with a separate agreement. Technical services can carry out jobs for a number of organs in the Confederation of Autonomous Trade Unions of Serbia.

Execution of jobs, organization, and mode of work of the service, breakdown and number of workers are defined by a special decision passed by Presidency of the Council of Confederation of Autonomous Trade Unions of Serbia, i.e. the competent organ of the Confederation of Autonomous Trade Unions in the territory, after obtaining opinion of the corresponding organs of the autonomous trade unions of Serbia.

## XI. TRANSITIONAL AND FINAL PROVISIONS

### Article 65.

Individual amendments or supplements to this Statute are introduced by the Council of Confederation of Autonomous Trade Unions of Serbia.

The Basic Principles may not be altered by amendments or supplements mentioned in paragraph 1 of this Article.

### Article 66.

Autonomous trade unions of Serbia and federations of autonomous trade unions in the territory shall bring their own acts into congruence with this Statute within three months' time from the enforcement date.

### Article 67.

The Confederation of Autonomous Trade Unions of Serbia is constituted of trade unions of Serbia, i.e. autonomous trade unions of Serbia which were organized in the Confederation of Trade Unions of Serbia on the day of holding of the Twelfth Congress.

### Article 68.

Amendments and supplements to the Statute of the Confederation of Autonomous Trade Unions Serbia, adopted by the Thirteenth Congress held on 30 June, 2006, become a component part of the Statute and come into force on the eighth day following adoption.

P R E S I D E N T of the Confederation of Autonomous Trade Unions of Serbia