

STATUTES

of

FEDERATION OF TRADE UNIONS IN FINANCIAL SPHERE /FTUFS/

Chapter One GENERAL

Article 1 The 'FEDERATION OF TRADE UNIONS IN FINANCIAL SPHERE' is a non-governmental, national-level, voluntary, non-political and non-profit association of independent and of equal standing trade unions of bank employees and workers and of employees and workers in other financial institutions who recognize this Statutes. It is constituted in accordance with the Non-profit Bodies Corporate Act.

Article 2 The Federation of trade unions in the financial sphere shall be organized on the basis of the following principles: voluntary participation, equal standing of its members, democratic formulation of its objectives and their joint materialization, organizational and financial autonomy of each member, trade-union solidarity, electiveness and limited term of office for governing bodies.

Chapter Two DESIGNATION AND SEAT

Article 3 /1/ The name of this non-profit association shall be 'ФЕДЕРАЦИЯ НА СИНДИКАТИТЕ ВЪВ ФИНАНСОВИЯ СЕКТОР' /ФСФС/; it shall be referred to as 'Federation' further in this Statutes.

/2/ The name of the non-profit association in English shall be 'FEDERATION OF TRADE UNIONS IN FINANCIAL SPHERE' /FTUFS/.

Article 4 /1/ This Federation shall have a name reserved and protected by the law, a logo and a seal. It shall have its own bank accounts and shall prepare an income and expenditure balance sheets.

/2/ The 'FEDERATION OF TRADE UNIONS IN FINANCIAL SPHERE' /FTUFS/ shall be a body corporate having its seat and address of management in the City of Sofia, Vazrajdane District, 5 Sveta Sofia Str.

/3/ The Federation may interact with other trade union structures while preserving its independence.

Chapter Three OBJECTIVES, TASKS AND MEANS OF ACHIEVING THEM

Article 5 The 'FEDERATION OF TRADE UNIONS IN FINANCIAL SPHERE' /FTUFS/ shall have as its basic objective to defend and protect the fundamental social and labour interests and rights of its members in the domain of labour, employment and labour relations, social and health insurance, assistance, ensuring a high living standard and professional realization while observing the Constitution of Republic of Bulgaria and the applicable laws, the international labour conventions and this Statutes.

Article 6 The Federation, intent on achieving this objective, sets itself the following tasks:

1. To develop platforms, programmes and demands;
2. To hold negotiations and conclude agreements with employers and bodies of the executive power;
3. To conduct collective bargaining and to conclude collective labour contracts;

4. To provide trade union defense in the sphere of labour, employment, labour relations and rights of the individual;
5. To organize trade union solidarity campaigns and protest actions;
6. To provide financial, legal and trade union assistance to its union members;
7. To investigate labour and social legislation and to adapt it to the standards and practices of the European Union;
8. To work out national and international programmes and project in the sphere of industrial relations, social insurance, employment and qualification, the incomes and standard of living, development of human resources and their social integration;
9. To implement social and other activities related to the representation of interests of union members;
10. To establish and maintain contacts with allied trade union organizations in Bulgaria and abroad, to collaborate with the aim of exchanging experience and mutual assistance, participation in the work of national trade unions and international forums.

Article 7 A main task of the Federation shall be to unite and coordinate the actions of union members in the achievement of their objectives and in defense of their interests, by:

1. Representing and defending its members vis-a-vis the employer, the executive and legal authorities, the state administration, as well as before public, political and other organizations in matters of labour, social and health insurance and the living standards.
2. Participating in negotiations with the employer for the conclusion of collective labour contracts and agreements.
3. Providing material, moral and other assistance to its members.
4. Demanding from the employer to ensure conditions for rest & recreation to its members.
5. Holding cultural-educational and charity activity.
6. Organizing and leading actions of collective protest, inclusive of strikes.
7. Organizing and implementing activities arising out of the Statutes of this Federation.

Article 8 For the achievement of its objectives the Federation shall perform in the country and abroad activities and transaction of any kind permitted by the law, including the acquisition or alienation of properties, real rights in them, securities, rights in objects of intellectual property or other rights, the income therefrom being used for the attainment of the objectives defined in this Statutes, and no profit being distributed.

Article 9 The Federation, in its faculty as non-profit organization, shall be entitled to set up companies and to acquire interest in companies for the attainment of its objectives.

Article 10 To achieve its objectives the Federation shall be entitled to enter into contractual relations with local and foreign natural persons or bodies corporate, with government institutions or with other non-profit legal persons, as well as to be partners with them in the implementation of joint activities.

Article 11 The Federation shall be independent of political parties and organizations, of bodies of the state and executive power, of employers' organizations and of all other public and trade union organizations, movements or associations.

Chapter Four

MEMBERSHIP, RIGHTS AND OBLIGATIONS

Article 12 /1/ Membership in the Federation shall be voluntary and collective for union organizations of bank employees and workers and for trade union organizations of employees and workers in other financial institutions that recognize the objective, the tasks and the Statutes of the Federation.

/2/ (amended on 17.06.2009) Individual membership of natural persons shall be admissible only subject to a resolution of the Conference of the Federation.

Article 13 /1/ New members shall be admitted on the grounds of a written application to the Executive Council /EC/.

/2/ Within a term of one month after submission of an application the EC is obliged to consider it and pass a respective resolution.

Article 14 /1/ Membership shall be terminated:

1. With the dissolution of this Federation;
2. At the request of an individual member;
3. With the demise of an individual member or his/her being placed under full judicial disability;
4. With the termination of a member – a body corporate;;
5. In the event of exclusion;
6. In the event of dismissal on account of discontinued payment of membership fees.

/2/ Every member shall be entitled to leave the Federation by forwarding a prior written notification to this effect to the Executive Council. The departing member shall fulfill his/her financial and obligations within the term of such departure.

/3/ Termination of membership by exclusion shall be applied in the event of failure to adhere to the provisions of these Statutes or to fulfill the resolutions of the Conference or the EC or in the event of other offences injurious to the Federation and derogatory to its reputation. A resolution for exclusion shall be passed with simple majority.

/4/ Membership rights and obligations, except those on property, shall not be transferable and may not pass to other persons in the event of death, upon termination – respectively.

Article 15 Federation members shall be entitled:

1. To participate in the Conference with voting rights.
2. To be elected, as well as to elect and recall their representatives from the management bodies of the Federation.
3. To table for discussion by the bodies of management matters related to the objective and activity of the Federation.
4. To choose freely the mode and form of their organizational development and functioning.
5. To be informed about the activity of this Federation in the implementation of its objective, as well as on the fulfillment of decisions of its managing bodies.
6. To receive free labour-legal consultation from the Federation and protection of rights in the sphere of labour, social and health insurance, the standard of living.
7. To receive from and to offer to other members of the Federation joint or solidarity actions.
8. To receive support, including financial assistance, from the Federation.

Article 16 Federation members shall be obliged:

1. To work towards achieving the objectives of the Federation.
2. To observe the Statutes of the Federation.
3. To fulfill the decisions made by bodies of management in the Federation.
4. To remit within the defined term the membership fee that shall be fixed by the Conference.
5. To provide their own facilities for the realization of common and mutually coordinated events.

Chapter Five BODIES OF MANAGEMENT

Article 17 (am. on 17.06.2009) The Federation shall have the following bodies: Conference, Executive Council, President and Financial Control Committee.

Article 18 (am. on 17.06.2009) The Conference shall be the supreme body of the Federation consisting of all members of the Federation.

Article 19 (am. on 17.06.2009) The Conference shall have the following powers:

1. To amend and supplement the Statutes.
2. To adopt other internal acts.
3. To elect and release the members of EC.
4. To elect the Chairperson.
5. To exclude members.
6. To pass a resolution on the mode of settling property relations between the Federation and a member terminating his/her membership.
7. To pass a resolution on the participation in other organizations and companies.
8. To pass a resolution on transformation or dissolution of the Federation.
9. To adopt the guidelines and a programme for the activity of the Federation.
10. To adopt the budget of the Federation.
11. To pass resolutions concerning the due payment and amount of membership fee.
12. To adopt the activity report of the EC and relieve it of responsibility.
13. To overrule decisions of the other Federation bodies which contradict the law, the statutes or other internal acts regulating the activity of the Federation.
14. To pass also other resolutions as provided for in the statutes.
15. To determine the mode and amount of payment for the EC members.

Article 20 /1/ Resolutions of the Conference shall be passed by simple majority of the attendees.

/2/ (am. on 17.06.2009) Resolutions of the Conference under Art. 19, it. 1 and 8 shall be passed by a majority vote of 2/3 /two-thirds/ of those attending.

/3/ No resolutions shall be passed on issues that are not included in the agenda, as announced in the invitation.

/4/ Resolutions of the Conference shall be binding upon the other bodies of the Federation.

/5/ Resolutions of the Conference shall be subject to judicial review concerning their legality and conformity with the statutes.

/6/ Resolutions of the bodies of the Federation passed in contradiction with the law, the statutes or a previous resolution of the Conference may be challenged before the Conference at the request of interested members of the Federation or any of its bodies addressed within a term of one month from coming to know them, but not later than one year from the date of passing the resolution.

Article 21 /1/ The Conference shall be convened by the Executive Council at its initiative or at the request of one third of the members of the Federation in the inhabited place in which the seat of the federation is located. If, in the latter case, the EC fails to send within a term of one month a written invitation for general meeting convention, it shall be convened by the Court per seat of the Federation at the written request of the interested members or a person thereby authorized.

/2/ The invitation shall contain the agenda, the date, time and venue for holding the Conference and at whose initiative it is convened.

/3/ The invitation shall be published in the State Gazette and posted at the place for announcements in the building in which the head office of the Federation is located, at least one month before the fixed day.

Article 22 The Conference shall be legitimate if more than half of its members are present. In the absence of a quorum the Conference shall be adjourned by one hour for the same venue and under the same agenda and it may be held irrespective of the number of attendees.

Article 23 (am. on 17.06.2009) /1/ The Conference shall be opened by the President who proposes a draft agenda and governing body for the meeting /President and secretary-record keeper/. In the absence of the President the Conference shall be opened by an attending EC member.

/2/ The Conference shall be directed by the President thus elected and the secretary-record keeper shall prepare the minutes of meeting that shall be signed thereby and by the President. The Minutes shall be kept safe for an unlimited term.

Article 24 /1/ Every member of the Federation or a delegate taking part in the Conference shall be entitled to one vote.

/1/ A participant /Delegate/ in the Conference shall not be entitled to a vote in the resolution of matters pertaining to:

1. Him/her, his/her spouse or relatives of direct line of descent – without limitation, in collateral line – to the fourth degree or by marriage – to the second degree inclusive;
2. Bodies corporate in which he/she is the manager or can impose or prevent the making of decisions.

/3/ A delegate may represent at the Conference no more than fifty union members on the grounds of a written power of attorney. No re-authorization shall be allowed.

Article 25 /1/ (am. as of 27.01.2006; am. on 17.06.2009) The Executive Council shall consist of seven persons: a President, two vice-presidents and members elected by the Conference for a term of three years. The old EC shall continue to perform its functions until a new one is elected.

/2/ (am. on 17.06.2009) The Executive Council shall sit at least once in every three months and it shall be convened by the President. Sessions shall be legitimate where more than half of the members are present.

/3/ An extraordinary session may be convened at the request of each individual member of the EC.

/4/ Minutes shall be kept at EC sessions that shall be entered in a special book.

/5/ EC resolutions shall be passed by simple majority of the attending members. The EC may also pass a resolution in absentia, by way of minutes signed by all its members.

Article 26 The Executive Council shall have the following functions:

1. To coordinate and organize the activity of the Federation.
2. To ensure convening of the Conference and prepare the meetings.
3. To carry into execution the resolutions of the Conference.
4. To discuss measures of adequate use and management of Federation property and dispose of it.
5. To accept the accounting reports and balance sheets.
6. To participate in the preparation and conclusion of a Collective labour contract, hold negotiations and take part in the discussion and conclusion of agreements on problems of the labour and insurance relations.
7. To prepare and present before the Conference the draft budget.
8. To prepare and present before the Conference a report of association's activity during the previous reporting period and a programme for the activity of the association during the next period.
9. To determine the procedure and organize the performance of Federation activity, including that to the benefit of the public and to bear responsibility therefor.
10. (new, adopted on 17.06.2009) To admit new members in the Federation.
11. (previous it. 10) To pass resolutions on all matters that do not fall under the rights of another body, either by law or in accordance with the statutes.
12. (previous it. 11) To fulfill all obligations provided for in the statutes.

Article 27 /1/ (am. on 17.06.2009) Sessions of the Executive Council shall be convened and presided by the President of the Federation. The President shall convene an EC session at the request in writing of each of its members. Where the President has failed to convene a session of the EC within a term of one week, it may be convened by each individual interested member of EC. In the absence of the President the session shall be directed by an EC member nominated by the EC.

/2/ The EC may pass resolutions if more than half of its members are present at its session.

/3/ Also present shall be any person who has a two-way telephone or other connection which guarantees that his/her identity can be established and enables his/her participation in the discussion and passing of resolutions. The voting of such member shall be certified in the Minutes by the person presiding the session.

/4/ Resolutions shall be passed by majority of those attending, while decisions concerning the election of a liquidator, as well as the decisions under Art. 26, it. 4 and it. 9 of these statutes – by majority of all members.

/5/ The EC may also take a decision without holding a session if the minutes on the decision thus made is signed without observations and objections therefore by all EC members.

Article 28 (am. on 17.06.2009) /1/ The EC President shall have the following functions:

1. To represent the Federation before all bodies corporate and legal persons, before all government and municipal administrative bodies, before all judicial authorities and before any other entity in the country and abroad.
2. To be responsible for the implementation of Conference and EC resolutions.
3. To convene and direct the sessions of EC.
4. To ensure the elaboration of programmes, reports and other documents which are presented for consideration to the EC.
5. To approve, on a yearly basis, the financial account and the permanent positions list of the Federation following their adoption by the Conference.
6. To sign the orders for business trips of EC members and employees of the Federation.

/2/ In the absence of the President his/her functions under the previous paragraph shall be performed together by the vice-presidents.

/3/ Entitled to operate the bank accounts of the Federation shall be with at least two signatures the president and one vice-president or the two vice-presidents.

Article 29 (am. on 17.06.2009) The Chairperson shall ensure the general management and control of the implementation of resolutions passed by the managing bodies of the Federation.

Article 30 The Financial Control Committee /FCC/ shall consist of four persons elected by the Conference for a term of two years. Its work shall be managed by a Chairperson.

Article 31 The Financial Control Committee shall have the following functions:

1. To supervise the actions of EC members from the perspective of Statutes provisions.
2. To perform periodic inspections into all actions of the EC and Federation members relative to property.
3. To report to the Conference the results of its inspections and proposes the necessary measures.

Chapter Six MEMBERSHIP FEE. PROPERTY

Article 32 All federation members shall pay a membership fee in an amount determined by the Conference.

Article 33 The Conference shall determine the amount of membership fee both for its members – bodies corporate and for members – natural persons. Natural person members may be exempted from the obligation to pay membership fee.

Article 34 The property of this federation shall consist of money, immovable and movable things, real rights, rights of use, rights in object of intellectual property and all other rights the law allows to be possessed by the bodies corporate.

Article 35 The Federation shall ensure financial means for its activity from:

1. Membership fee, which shall be determined by a resolution of the Conference.
2. Contributions from benefactors, sponsors and other.
3. Publishing and advertising activity.
4. deductions from business companies, from dividends and from interest in trading companies, from interest, credits, etc.
5. Revenues from own property.
6. Other sources allowed by the law.

Article 36 Financing and property shall be supervised and controlled by the managing bodies of the Federation in observance of the laws in the country and these Statutes.

Article 37 The Federation shall not be responsible for any liabilities of its members and they shall not be responsible for any liabilities of the Federation.

Chapter Seven TERMINATION

Article 38 The Federation shall have no fixed term of existence.

Article 39 This Federation may be dissolved only by a resolution of the Conference or the judicial authorities in the cases provided for in the law.

Article 40 All disputes arisen between members of the Federation shall be resolved by voluntary agreement and where no consent is achieved, the court procedure shall apply as established by the law.

FINAL PROVISION

Single paragraph These Statutes was adopted unanimously by the Inaugural Conference of 'FEDERATION OF TRADE UNIONS IN FINANCIAL SPHERE' /FTUFS/, held on 01.08.2003, and it was amended by the Conference held on 27.01.2006 and by the Conference held on 17.06.2009.