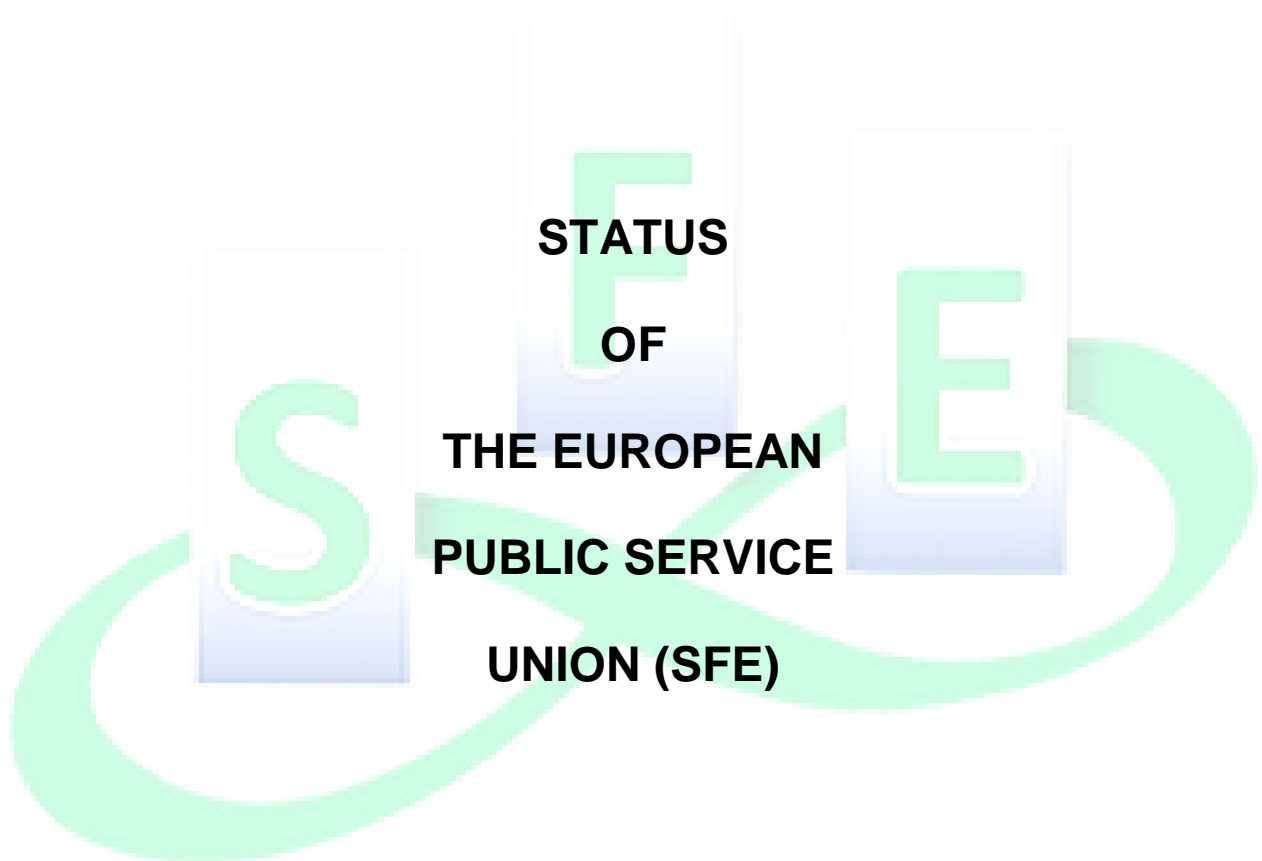


THE EUROPEAN PUBLIC SERVICE UNION  
SYNDICAT DE LA FONCTION PUBLIQUE EUROPEENNE  
GEWERKSCHAFT DES EUROPÄISCHEN ÖFFENTLICHEN DIENSTES

site web : [www.conf-sfe.org](http://www.conf-sfe.org), e-mail : [osp-sfe@ec.europa.eu](mailto:osp-sfe@ec.europa.eu)

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**STATUS OF THE EUROPEAN  
PUBLIC SERVICE UNION (SFE)**

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**CHAPTER I**

**ORGANIZATION - HEADQUARTERS - MISSION**

**Article 1**

1.1 A trade union is hereby established which may be indistinctly referred to as "The European Public Service Union" or « SFE ».

1.2 SFE is a "de facto" association with no separate legal personality.

1.3 Within the framework of this statute, SFE can be mentioned either under the term "association" or under that of the Union"

1.4 It is open to any active or post-active person of an institution or body governed by public law, with a European vocation, hereinafter referred to as "Institutions" and resolved to defend its interests in common and to participate in the construction of a society of free and responsible people.

1.5 SFE is part of the humanist and democratic union movement, which operates independently, in particular politically and without any discrimination of belief, conception of life, race, gender, sexual orientation or physical or social disability.

**Article 2**

2.1 The head office of SFE is located at No. 01/200 (Block A) of rue Joseph II - Building J70 at 1049 Brussels – Belgium.

2.2 By a simple decision of the Executive Committee (short-term "Comex"), SFE can change the location of the head office, open and close one or more other offices or branches both in Belgium and abroad.

**Article 3**

3.1 The objective of SFE is:

- To defend the professional rights as well as the moral and material interests of its members, in particular by fighting for the creation and development of a permanent and independent European civil service;
- To promote the cooperation and solidarity of the staff of the Institutions in the framework of the widest possible solidarity with the world of work;
- To contribute to the national, regional and global development of a trade union movement inspired by Christian values and principles.

3.2 The union assumes full responsibility for this action, which it determines in full independence from any external authority, be it political, religious or otherwise.

#### **Article 4**

SFE fulfils its objectives in particular by:

- The study and promotion of the professional interests of its members;
- The defence of their rights before all administrative and judicial bodies in accordance with the terms of application of the rules of procedure defined by the union Bureau;
- Defence against all forms of exclusion, harassment, discrimination, including, disability, nationality, ethnic or social origin, employment status, language, philosophical and religious beliefs, gender and sexual orientation.
- Participation in the negotiation of working conditions and the drafting of statutory rules;
- The representation of its members in and outside the institutions;
- Collaboration with other unions at European and worldwide level;
- The implementation of any other actions and the use of any other legitimate means which tends to achieve the objectives set out in Article 3.
- The accomplishment of all activities that contribute directly or indirectly to the achievement of its objectives. In particular, the SFE can lend its support and be interested in any activity similar to its purpose.

## **CHAPTER II**

### **STRUCTURES AND ORGANS**

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#### **Article 5    Members and bodies of the association**

##### **5.1 The members**

5.1.1 The association consists of full members and adherent members.

5.1.2 Members are not liable for the debts of the association.

5.1.3 No condition of nationality or residence is required to be a member.

5.1.4 Membership is acquired under the following cumulative conditions:

- To be an active or post-active person of an institution or body governed by public law, with a European vocation, hereinafter referred to as "Institutions";
- Adhere to the union's statutes;
- Pay on the date fixed a contribution whose rate is fixed by the Executive Committee.

5.1.5 The association must maintain a database of members, under the responsibility of the COMEX to take into account admissions, resignations or exclusions.

All the members can consult, at the head office of the association, the register of the members, as well as all the minutes and decisions of the general assembly, the COMEX, as well as all the accounting documents of the association, on simple written and motivated request addressed to the Executive Committee.

Members are required to specify the documents they wish to access. The COMEX agrees a date of consultation of the documents with the members. This date will be fixed within one month from the reception of the request.

5.1.6 Any member who does not meet anymore, or exceeds the above-mentioned membership requirements, loses membership.

5.1.7 Membership is also lost:

- Three days after the resignation or express withdrawal sent by registered letter or by e-mail addressed to the President of the COMEX;

By automatically exclusion of members who have affiliated with another representative organization of workers - within the Institutions in the broad sense or who are standing as a candidate during unions or social elections, on a list drawn up by another representative organization of workers within the Institutions in the broad sense;

- By death;
- By exclusion where the actions of a member are contrary to the aim pursued by the association or seriously jeopardize the moral or material interests of the association. Such an exclusion may in particular be decided in case of non-payment or termination of contributions levied by the association of its members.

5.1.8 Members who cease to be part of the association are not entitled to the social fund. They cannot in any case claim the amount of the contributions they have paid or the contributions they have made.

5.1.9 The members

5.1.10 Adhering members are people who maintain regular contacts with the association without, however, formally participate in the organization, functioning, decision-making and deliberation processes, within the association.

5.1.11 However, the members can attend general meetings and have the right to vote.

5.1.12 Like any member, they can also benefit from the intervention of the association within the framework of its objectives included in articles 3 and 4 of the present statutes.

5.1.13 Effective members

5.1.14 *Effective members are people who bring to the association their skills and experiences by formally participating in the organization's operating process, operation, decision and deliberation within the association.*

5.1.15 *All decisions of admission, resignation or exclusion of full members are entered in the agenda at the due diligence of the COMEX within eight days of the knowledge that the council had of the modification (s) intervened.*

5.1.16 *Effective members perform their duties for free.*

5.1.17 *The effective members are entitled to the reimbursement of their expenses incurred within the framework of their mission on presentation of the justifying documents left at discretion of the COMEX.*

## **5.2 Presentation of the bodies of the association**

*These bodies are:*

- *The General Assembly (GA in short) of the members; which meets annually,*
- *The Executive Committee (COMEX in short), in charge of the daily management,*
- *The Union Bureau, which prepares the meetings of the Executive Committee,*
- *The base team,*
- *The Financial Control Commission; who looks a finances,*
- *The Mediation Committee, competent to give an opinion, could be consulted in the context of any internal dispute.*

## **Article 6 The General Assembly**

### **6.1. Composition and functions of the general assembly**

6.1.1 *Within the framework of the objectives of SFE, the General Assembly is the sovereign organ of the union. It consists of all union members.*

6.1.2 *The GA defines the major trade union orientations and decides sovereignly all the points which are submitted to it according to the agenda and which do not devolve to the competence of another body or organ following the present Statute.*

6.1.3 *The tasks and attributions of the General Assembly include:*

- *The definition of the directives of the trade union policy;*
- *The examination and approval of the activity and orientation reports and (after the opinion of the financial control commission) of the financial report;*
- *Setting the amount of the contributions;*
- *The organization of the election of the Executive Committee, the Financial Control Commission, and the Mediation Committee.*

### **6.2. Meeting and way of convening the general meeting**

6.2.1 *The ordinary General Assembly (GA in short) is held annually at intervals of more than eight months and not exceeding sixteen months, is chaired by the President of the Union, at the head office of the Union or at the address indicated on the invitation.*

6.2.2 *It is fixed at the invitation of the Executive Committee, which sets its agenda.*

6.2.3 An Extraordinary General Assembly (EGA in short) is held whenever the interest of the association justifies it.

6.2.4 Only a paid-up member of the association, with standing order - according to the bank account statement of the association-, can, as an applicant, request the Executive Committee to vote the approval of a meeting date for an EGA and the agenda attached to it.

6.2.5 The Executive Committee is obliged to put this item on the agenda of its next weekly meeting and to study the request of the member. The member must present his request at the meeting of the Executive Committee and must be present at the Extraordinary General Assembly, if it is voted.

6.2.6 The COMEX decision to convene an EGA and to include all or part of the agenda items proposed by the applicant, is taken by a simple majority of the votes of the present or represented members of the COMEX and in the presence of at least the half of the members present or represented, composing it.

6.2.7 These decisions are not subject to appeal.

6.2.8 COMEX convening notices for any General Assembly are sent by e-mail at least 15 days before the date fixed for the meeting of the GA.

The convening notices mention the date, time, place and agenda of the meeting. The agenda may be amended, completed or reduced during the meeting provided that half of its members are present or represented and that they have consented to a simple majority of the votes of members present or represented.

### **6.3. Procuration for a General Assembly**

Each member may be represented at the general meeting by any member, provided that person has a special written procuration.

### **6.4. Mode of deliberation of a general meeting**

6.4.1 The General Assembly is chaired by the President of the organisation, in her/his absence, by a vice-president or by the person elected by a simple majority by the members present or represented composing the assembly at the meeting. The Chairman appoints any person to the office of secretary of the meeting. If the secretary is not a member of the association, he / she does not have the right to vote.

6.4.2 The General Assembly deliberates validly provided that at least half of the members convened are present or represented.

6.4.3 If the number of members present or represented is less than half of the members convened, the meeting deliberates validly when at least 15 members are present or represented.

6.4.4 Each member present or represented composing the assembly has one vote.

6.4.5 Voting members entitled to vote are only for association's members in order of contribution, with standing order according to the bank account statement of the association, on the day of the GA or the EGA.

*The abstention and the blank vote are counted but considered as not expressed with regard to the calculation of the majority of the votes.*

*In the event of a tie vote, the vote of the Chairman shall prevail, to break it.*

*6.4.6 In accordance with the conditions set forth in Articles 6.4.2 and 6.4.3 of the present statutes, the decisions of the General Assembly are taken by a simple majority of the members present or represented except as regarding the proposals for modifications of the Statute, for which a two-thirds majority of the members present is required.*

*6.4.7 Any proposed amendment to this Statute must be communicated in advance to the members and will be specifically put on the agenda of the General Assembly.*

*6.4.8 The resolutions of a GA shall be communicated to all members by email.*

*6.4.9 Resolutions of GA shall be recorded in a register signed by the president of the meeting and kept at the association's head office. The Secretary-General shall keep it available to the members in accordance with the conditions set out in Article 5.1.5 of this Statute.*

## **Article 7    The Executive Committee (COMEX in short)**

### **7.1    Composition and functions of the COMEX**

*7.1.1 The Executive Committee is responsible for the implementation of the general directives set by the General Assembly and the management of affairs of the Union during its mandate.*

*7.1.2 It is composed of 15 elected members.*

*7.1.3 The COMEX is headed by the President and has three Vice-Presidents, one General Secretary, one Secretary of the Internal Organization and one Treasurer.*

*7.1.4 The Executive Committee may decide to co-opt a maximum of 5 members from non-elected Executive Committee candidates, as well as co-opting a maximum of 5 members from all SFE members. Co-opted members do not have passive or active voting rights at meetings of the Executive Committee.*

### **7.2 Appointment, mandate and dismissal of COMEX members**

*7.2.1 The elected members are elected for a renewable term of 3 years, by secret ballot, which takes place for the first time no later than 6 months after the constituent statutory elections.*

*7.2.2 The election procedure begins at the latest on the 3rd working day following the date of the General Assembly consecutive the 3rd year of the mandate of the COMEX year-round.*

7.2.3 The election is by correspondence, either by ordinary mail or by internal mail to the Institutions, all members of the SFE can vote for ten working days.

7.2.4 The first 15 candidates who have received the most votes with at least 5% of the votes cast are elected as members of the Executive Committee.

7.2.5 Incumbent COMEX members, as usual, carry out the day-to-day business of the committee until the new elected members take office.

7.2.6 Madam / Mr President, the three Vice-Presidents, the General Secretary, the Secretary for Internal Organization and the Treasurer are elected by secret ballot in five separate rounds, at the first meeting of the Executive Committee composed of the newly elected members, in the presence of at least two thirds of the members of the Executive Committee, i.e 11 or 13 members to have an odd number.

The mandate of member of the Executive Committee is not compatible with that of member of the Mediation Committee or of the Financial Control Commission.

7.2.7 Madam / Mr President is eligible provided that she/he has been a member of the SFE and in order of contribution, according to the bank account statement of the association, for at least 6 months preceding the month of her/his candidacy.

7.2.8 Madam / Mr President is eligible for two successive terms.

7.2.9 A COMEX presidential candidate who has already held the position for one or two successive terms may be eligible for re-election as long as his or her candidacy is consecutive to a presidential end of mandate, which the candidate did not occupy the position.

7.2.10 The mandate of a COMEX member ceases:

- Following exclusion of the SFE;
- Following the loss of the quality for which he/she was appointed, resignation, change of union, without these examples being exhaustive;
- Following his/her death.

7.2.11 Any member of the COMEX may resign by an e-mail addressed to COMEX.

7.2.12 In order to ensure the continuity of the tasks and the conditions necessary for teamwork, any member of the COMEX who has difficulties to fulfil effectively or correctly his mandate will be replaced or suspended quickly, particularly in the case of three consecutive absences without convincing justification. left to the sovereign appreciation of COMEX.

The decision to replace or suspend shall be made in accordance with the provisions of Articles 7.3.7 to 7.3.10 of this Statute, without the member susceptible to being replaced or suspended from attending the meeting and without being able to vote there even by proxy.

7.2.13 The members of the COMEX who cease their function are obliged to hand over against receipt to the Chairman of the COMEX or to an officer duly mandated by the presidency, or by a vote of the COMEX if it concerns the president, according to articles 7.3.1 to 7.3.11: all codes, accesses, badges, keys, materials, money order or other, all



*the documents, of any nature that is in their possession as well as any amount whatever the form of the deposit or the currency, under their responsibility or management, directly or indirectly related to SFE.*

*In the context of the preceding paragraph, COMEX members who cease their function must not keep any copy or duplicate and they must execute without delay and notwithstanding any appeal.*

*They lose after their cessation, the use of their "E-mail address" SFE and access to all sources of information, registers, documents of any kind whatsoever, concerning the union and its members.*

*7.2.14 Except for the function of President of the COMEX whose election is always held following the procedure referred to in Article 7.2.6 of this Statute, in the event that one of the members of the Executive Committee ceases to hold office before the term of the year (of before the term of her/his mandate), it is replaced by the candidate who follows the last elected member, following the result of the last elections, and so on, until the list of unelected candidates is exhausted.*

*7.2.15 If there is no or no more candidate who fulfils the conditions of article 7.2.14 of this Statute, the Executive Committee may instruct any other member of the union to exercise the vacancy.*

*7.2.16 The successor completes the mandate of the member he replaces.*

### **7.3 Meeting, procedure of convening and deliberation of the COMEX**

*7.3.1 The Executive Committee meets at least twice a month regardless of the period (school or vacancy or those institutions).*

*7.3.1 The Executive Committee meets at least twice a month during school periods and (usually once a week) out of school holidays or public holidays of institutions.*

*7.3.2 Meetings are scheduled by email sent by the President or by one of the members of the COMEX delegated (on her/his behalf) by the Presidency for this purpose.*

*7.3.3 The convening notice shall mention the date, time, place and agenda of the meeting. The agenda may be modified, completed or reduced during the meeting provided that half of its members are present or represented and that they have consented to a simple majority of the members present or represented.*

*7.3.4 If necessary, the COMEX can hold online meetings under the direction of the President.*

*7.3.5 The Executive Committee operates according to the instructions of the President: the three Vice-Presidents, the General Secretary, the Secretary of Internal Organization and the Treasurer are particularly responsible for seconding the President for the organization and administration of the Union and of the Comex.*

*7.3.6 A member may be represented by another COMEX member who cannot however hold more than two proxies. Proxies must be special and written.*

*7.3.7 Each member in order of contribution has one vote.*

*All votes shall be taken verbally or with raised hands except that provided for in Article 7.2.6 of this Statute. In exceptional cases duly justified by the urgency and / or the interest of the association, left to the sovereign appreciation of the President, the decisions of the COMEX can be taken by a secret ballot by a written vote.*

*7.3.8 The deliberations of the Executive Committee are taken validly in the presence of at least half of its members present or represented and by a simple majority of the votes of the members present or represented.*

*7.3.9 The abstention and the blank vote are counted but considered as not expressed as regards the calculation of the majority of the votes.*

*7.3.10 In the event of a tie, the vote of the Chairman shall prevail.*

*If the President is unavailable or absent, one of the Vice-Presidents appointed in accordance with the procedures mentioned in Articles 7.3.6 to 7.3.10 of this Statute shall preside the COMEX on a provisional basis and in the interim.*

*7.3.11 The Executive Committee may also consult the members of the Union as an individual or delegate to them a particular work, mission or tasks, particularly as regards the animation of the working groups or a part of the exercise of its skills.*

*Delegates, particularly in working groups, report to the Executive Committee.*

*7.3.12 The minutes of the meetings of the COMEX are kept at the head office of the association according to the conditions set out in articles 5.1.5 and 5.1.15 of the present statutes.*

*7.3.13 In the event of a litigation / procedure / judicial and extra-judicial act generally of any kind initiated by SFE, only the Executive Committee ensures the representation of the union section in front of its members or for its members, outward and for all administrative or legal matters.*

*In the context of the above paragraph, the COMEX takes care of the said representation either directly and / or through a lawyer and / or a person duly mandated by its authorities for this purpose.*

*In such cases, the approval of the representation is deliberated in accordance with the rules established by Articles 7.3.1 to 7.3.11 of this Statute and confirmed by the joint signatures of the President and the General Secretary on the minutes approval or the meeting that mentions it.*

*If one of the both is unable to sign, the signature of a Vice-President may substitute the missing signature.*

*In case of simultaneous impediment of the President and the General Secretary, the approval to introduce the procedure or the dispute may be validated by the signature of the three Vice-Presidents, or failing to gather the signatures of all Vice-Presidents, by those of three members of the Executive Committee.*

7.4.14 In the event of a litigation / procedure / judicial and extra-judicial act generally on the initiative of members or third parties against SFE or against one of its bodies, the union has no legal personality distinct from its members, because it's an association "in fact".

In the case provided for in the previous paragraph, SFE or one of its bodies cannot therefore be represented as such.

7.4.15 The Executive Committee may, if necessary, convene an Extraordinary General Assembly under the conditions set out in Articles 6.2.3 to 6.2.8 of this Statute.

### **Article 8: The union Bureau**

8.1. With a view to preparing the meetings of the Executive Committee mentioned in Article 7 of this Statute, a Trade Union Bureau is hereby established.

It is composed of the President, the three Vice-Presidents, the General Secretary, the Treasurer, the Secretary of the Organization and the Political Secretary.

8.2. It meets at least once a month during school periods and outside European and Belgian school holidays or legal holidays of the institutions, and following the same procedures mentioned in Articles 7.3.2 to 7.3.4 of this Statute.

8.3 The Trade Union Bureau has internal regulations regarding the distribution of the tasks of its members and the modalities of application. This must be approved by the Executive Committee following the same procedures mentioned in Articles 7.3.5 to 7.3.10 of this Statute.

### **Article 9: The core team**

9.1 Under the direction and control of the COMEX, core teams are formed by floor, branch, service or building, grouping volunteers among the members of SFE.

9.2 A core team can only be created after the approval of the Executive Committee following the same modalities mentioned in Articles 7.3.2 to 7.3.4 of this Statute.

9.3 They each operate in accordance with the modalities mentioned in Article 7.3.11 of this Statute.

9.4 Their main missions are:

- To facilitate the participation of members in union responsibilities through the communication of information;
- To collaborate actively in the preparation and execution of the decisions taken;
- To ensure the social training of the members;
- To ensure to their members, at the local level, the tasks defined in Articles 3 and 4 of this Statute.

### **Article 10: The Financial Control Commission**

#### **10.1 Composition and functions of the Financial Control Commission**

10.1.1 It is composed of three members who are members of the union for at least one year and have been in order of contribution according to the bank account statement of the association since the year preceding taking office and during the entire mandate.

*Its members are referred to indistinctly- below - the commissioners.*

10.1.2 It is responsible for controlling and may, if it considers it necessary, issue advisory opinions on the management of the treasury and the assets of the syndicate made by the Executive Committee.

10.1.3 It is the responsibility of the Financial Control Commission to regularly take the initiative to control the financial management and to report to the General Assembly. It is up to the General Assembly to issue an advisory opinion of discharge or not of the Executive Committee or the Treasurer.

*In the event of a negative opinion on a discharge proposal, it informs the COMEX and its Treasurer by e-mail and communicates to them, its grievances, remarks, suggestions and any documents in order to allow the COMEX where appropriate to give the necessary follow-up.*

*In the context of the above paragraph, the Financial Control Commission must express its negative opinion to the COMEX and its Treasurer within eight calendar days consecutive days of the drafting of the opinion and no later than one month later. before the month during which the date of the GA is fixed in particular so that the opinion could possibly be presented.*

*If the Financial Control Commission does not respect the deadlines of the above paragraph, it may not propose a negative opinion for the discharge of the Executive Committee or its Treasurer as it will not have allowed them to prepare a possible justification.*

*The Comex or his / her Treasurer may reply to the Financial Control Commission by e-mail, in particular, to justify and communicate their documents or any other means justifying their management.*

*In this case, the Financial Control Commission is free to maintain, modify or withdraw its negative opinion at any time, before presenting its opinion to the General Meeting and even running the GA.*

10.1.4 The Financial Control Commission is also competent to receive any written complaint from members concerning the management of the treasury and the assets of the syndicate by the Executive Committee.

*It informs the COMEX within eight days of the lodging of the complaint and communicates to it the identity of the applicant, his grievances, remarks, suggestions and possible documents in order to allow the COMEX, if necessary, to answer them and to communicate their documents. justifying its management.*

*However, the Comex is not obliged to follow up the claim.*

10.1.4 The position of commissioner is incompatible with that of member of the Executive Committee and of member of the Mediation Committee.

## **10.2 Appointment and mandate of the members of the Financial Control Commission**

*The Financial Control Commission is elected according to the same voting arrangements as those mentioned in Articles 7.2.1 to 7.2.5.*

## **10.3 Deliberation of the Financial Control Commission**

*10.3.1 Each member in order of contribution, on the basis of the bank statement of the association on the day of the vote, has one vote.*

*10.3.2 The deliberations and written opinion of the Financial Control Commission are validly voted unanimously by its members only and after that all the members have signed their agreement for the joint document.*

*10.3.3 In the event of abstention or a blank vote of one or more members or in the event of a breach of the conditions set out in Article 10.3.2 of this Statute, the opinion shall be considered as not expressed and may not be validly delivered or communicated.*

## **Article 11 The Mediation Committee**

### **11.1 Composition and functions of the Mediation Committee**

*11.1.1 It is composed of three members who have been members of the union for at least one year and who have been in order of contribution according to the bank account statement of the association since the year preceding taking office and throughout the term of mandate.*

*11.1.2 The Mediation Committee has the power to issue a non-binding advisory written opinion on any dispute within the union between its members or between its members and its organs.*

*It must adopt a neutral attitude towards all the parties, as much the instruction of the file as in the wording of its opinion.*

*11.1.3 It may be referred to the union bodies and its members. The Committee may hear the parties separately and must respond in his written opinion in a detailed manner to the arguments and documents communicated to him.*

*The Mediation Committee must respect the rules of the adversary and the rights of the defense and in particular invite each of the parties to communicate to all the other parties to the case, all their writings and documents at the latest at the same time as they are addressed to the Mediation Committee.*

*If this is not the case, the Mediation Committee will take care of transmitting without delay to either party, the writings and documents that were not sent to them.*

11.1.4 *If the Mediation Committee is seized separately by applicants for the same cause or for sufficiently connected causes, it may on the initiative or at the request of one of the parties put the causes together to give only one written opinion on all aspects of dispute.*

11.1.5 *The mandate of a member of the Mediation Committee is not compatible with that of member of the Executive Committee or that of the Financial Control Commission.*

## **11.2 Appointment and term of office of Mediation Committee members**

*The Mediation Committee is elected according to the same voting methods mentioned in articles 7.2.1 to 7.2.5*

## **11.3 Deliberation of the Mediation Committee**

11.3.1 *After the closure of the proceedings and no later than one month after the submission of the last written documents or documents, the Mediation Committee must communicate its opinion to all parties by e-mail.*

11.3.2 *Each member of the committee in order of contribution according to the bank account statement of the association on the day of the vote, has one vote.*

11.3.3 *The deliberations and written opinion of the Mediation Committee are validly voted unanimously by its members only and after that all the members have signed their agreement for the joint document.*

10.3.3 *In the case of abstention or of a blank vote cast by one or more members or in the event of a breach of the conditions set out in Article 11.3.3 of this Statute, the opinion shall be considered as not expressed and may not be validly returned or communicated.*

## **CHAPTER III**

### **STRIKE**

#### **Article 12: Strike**

*The Executive Committee can only decide on an effective strike after consultation by e-mail of all the members and the approval of at least one third of the members of the SFE by return of e-mail or as part of a vote at an extraordinary General Assembly convened for that purpose.*

*However, in case of force majeure, the Executive Committee may take a strike decision, charged with to make validate its decision by the members under the terms of the previous paragraph, within 15 days following the date of the strike and if this is not realizable, on the first possible date following the strike.*

## **CHAPTER IV**

### **AFFILIATION AND EXCLUSION**

## **Article 13 Membership**

*Membership to SFE is open to any active or post-active person of one of the Institutions that accepts this Statute and which is in order of contribution according to the bank account statement of the association.*

## **Article 14 Causes of exclusion**

*Can be excluded from SFE any member who:*

- 1. Adopts an attitude or actions contrary to the aim pursued by the association or seriously jeopardizes the moral or the material interests of the association;*
- 2. Impedes the action of the union, either by refusing to comply with the provisions of the statutes, the decisions and resolutions of the Executive Committee, or by compromising by its behaviour in words, actions and writings, the credibility and dignity of SFE;*
- 3. is affiliated to another representative organization of workers - within the Institutions in the broad sense - or who is standing as a candidate during unions or social elections, on a list drawn up by another representative organization of workers within the Institutions -in the broad sense;*
- 4. by death;*
- 5. Has not paid his contributions or has stopped the payment of his subscription to the association.*

## **Article 15 The exclusion rules**

*15.1 Without any formality whatsoever, the exclusion may be of immediate effect, even retroactive from the date:*

- Of the cessation or non-payment of subscription to the Association, as membership.;*
- Of the affiliation to another representative organization of workers, internal to the Institutions in the broad sense, or from the date of application for membership of another trade union or from the date of application as a candidate in social elections on a list drawn up by another representative organization of workers, internal to the Institutions in the broad sense.*

*In this case, decisions of any kind taken with the participation and / or voting of an excluded member, remain valid.*

*15.2 With regard to the exclusions referred to in Article 14 (1) and (2) of this Statute, a member may not be excluded without the procedural steps being taken in the following order:*

*15.2.1 According to the conditions set out in Articles 7.3.1 to 7.3.10 of this Statute, the COMEX votes to initiate an exclusion procedure against a member of SFE.*

*If the person whose exclusion is being considered is a member of the COMEX, she/ he may not be present at the meeting referred to in Article 15.2.1 of this Statute and is not entitled to vote, even by proxy.*

*15.2.2 The member whose exclusion is being considered is convened to a meeting of the COMEX at least 15 days in advance, by email sent by the President or by one of the members of the COMEX, delegated by the Presidency for this purpose.*

*The convening notice mentions the date, the time, the place and the agenda of the meeting and the documents in support of the exclusion proposal are attached electronically or sent by ordinary mail or mail internal to the institutions*

*The agenda may be amended, supplemented or reduced during the meeting provided that half of the members of the COMEX are present or represented and that they have consented to a simple majority of the members present or represented.*

*15.2.3 The member whose exclusion is being considered may send to the COMEX, at least 5 days before the meeting provided for in Article 15.2.2 of this Statute, all his defence, sending those documents by email or by ordinary or internal mail of the institutions.*

*15.2.4 At the meeting provided for in Article 15.2.2 of this Statute, the member at risk of being excluded will present his defence to the COMEX, which members may ask him/her questions.*

*15.2.5 Under the conditions set out in Articles 7.3.1 to 7.3.10 of this Statute, the COMEX votes after the closing of the discussions and outside the presence of the member whose exclusion is being considered, whether or not to maintain the exclusion procedure against him.*

*If the person whose exclusion is being considered is a COMEX member, he or she is not entitled to vote by proxy.*

*15.2.6 If the COMEX votes to maintain the exclusion procedure, the membership in the SFE, of the member whose exclusion is being considered is suspended, just as he is suspended from his duties under the conditions set out in article 7.2.13 of this article. Status applicable to him according to whether his status is that of an adhering or effective member.*

*15.2.7 COMEX shall, within 8 days at the latest, send an e-mail to the member concerned after the vote to maintain the exclusion procedure, informing him of his decision and motivation and of the immediate effect of the conditions laid down in Article 7.2.13 that apply to him.*

*15.2.8 The COMEX shall refer the matter to the Mediation Committee for opinion in accordance with Article 11.1.3 of this Statute, and submit to it the grievances justifying the exclusion by mail or by ordinary or internal mail of the institutions of documents in support of his proposal.*

*Under the same conditions of the previous paragraph, the member whose exclusion is being considered may also appeal to the Mediation Committee.*

*15.2.9 After the written communication of the Advisory Opinion of the Mediation Committee to the parties in accordance with Article 11 of this Statute, the COMEX shall meet at the latest within 15 days to decide definitively on the exclusion or not of the member concerned and under the conditions provided by Articles 7.3.1 to 7.3.10 of this Statute.*

*15.2.10 If the person whose exclusion is being considered is a member of the COMEX, he may not be present at the meeting referred to in Article 15.2.9 of this Statute and is not entitled to vote there even by proxy.*



15.2.11 The COMEX shall send the e-mail to the member concerned no later than 8 days after the vote to inform him of his final decision and his reasons.

15.2.12 If the vote of the COMEX, mentioned in article 15.2.9 of this Statute, confirms the exclusion, it becomes definitive. On the other hand, if he cancels it, the member concerned will recover his rights and his function subject to the possible sanctions, penalties, periods of suspension that may accompany his decision.

### **Article 16 Consequences of an exclusion**

The resigning or excluded member cannot claim a refund of contributions paid or contributions made, or claim any rights over the assets of SFE.

Any excluded member can be readmitted by the Executive Committee, after examining his candidacy.

## **CHAPTER V**

### **FINANCES**

#### **Article 17**

SFE is financed by membership fees and donations and bequests. The monitoring of contributions, good financial management and bank accounts of the association is carried out by the Executive Committee.

#### **Article 18**

The General Assembly sets the amount of the minimum membership fee per member, necessary to cover the adopted budget.

## **CHAPTER VI**

### **FINAL PROVISIONS**

#### **Article 19**

A resistance fund, with free participation, can be created by SFE. It has its own statutes and regulations. The management of the funds of the Resistance Fund is totally separate from the day-to-day management of the funds of SFE and is made by a Management Committee.

#### **Article 20**

The General Assembly rules in all matters which are not covered by this Statute.

#### **Article 21**

The dissolution of the SFE union is planned only if its survival is no longer assured and no solution has been deemed viable by the General Assembly. A think tank can be mandated to look for all possible solutions. Their conclusions will be submitted to the appreciation of an Extraordinary General Assembly.

*SFE can be dissolved only by decision of a General Assembly bringing together or representing at least two-thirds of the members present or represented and voting by a two-third majority of the members present or represented at the General Assembly.*

*In the event of dissolution, the general meeting shall appoint the liquidator (s) and determine (their) powers and fix the method of liquidation.*

*The general meeting determines, where applicable, the emoluments of the liquidators.*

*After settlement of debts, what remains of the assets of the association is granted to a charity yet to be determined by the general assembly, pursuing an object similar to that of the association.*

*The funds cannot be transferred to another trade union organization internal or external to European institutions, companies and political parties, national or foreign.*

*If there are more than one of these associations, the General Assembly decides on the proposal of the COMEX. Otherwise, the assets are offered to an association whose objectives are closest to those of the association.*

## **Article 22**

*It is published an information newspaper called "Panoptique" (panoptic in English). The "Panoptique" may have an internal working regulation which forms part of the operating rules of the Executive Committee referred to in this Statute.*

*The Panoptique must be self-financing by means proposed by the Management Committee and approved by the Executive Committee.*

## **Article 23**

*Any dispute outside the internal procedures of the statutes, will be settled before the francophone court of first instance of Brussels, according to the Belgian laws and with French as language of procedure.*