



# **Statutes**

## **The Mining, Chemical and Energy Industrial Union**



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§ 1 Name, headquarters and area
1. The trade union carries the name of Mining, Chemical and Energy Industrial Union (IG BCE) – with the industrial sectors of paper and pulp, glass, ceramics, unvulcanized rubber, leather and plastics. The headquarters of the organisation and thus, of the Main Board, are located in Hanover; those parts of the central administration which mainly have to fulfil tasks in the mining and energy sectors, are located in Bochum.
2. The organisational area of the IG BCE extends to the Federal Republic of Germany.
3. People who can become members of the IG BCE: The workers, white-collar workers and civil servants of the companies, enterprises and groups of the following industrial sectors, including the service areas pertaining hereto as well as legally or economically connected companies, administrations, subsidiaries, branch offices and research institutions, supervisory agencies, marketing, finance, security, sales and assembly operations pertaining hereto, utilities companies as well as those receiving vocational training in such areas: I. Mining II. Chemical Industry III. Energy IV. Crude oil and natural gas V. Glass VI. Processing of unvulcanized rubber VII. Ceramics VIII. Plastic and non-metal materials IX. Leather X. Paper and pulp XI. Environment XII. Water XIII. Utilities Changes in the company structures or other restructuring measures in the area of competence of the IG BCE will not lead to a cancellation of competence. Further details are set out in the organisational catalogue (attachment). It is a part of the statutes.
<b>§ 2 Membership in the DGB and in international associations</b> IG BCE is a member of the German Trade Union Federation, the DGB, and of international associations.
<b>§ 3 Basic principles, goals and tasks</b> The trade union is committed to the unalterable basic principles of democracy in the state, in the economy and in society. Defending these basic principles entails the use of the right of resistance (Article 20, paragraph 4, German Basic Law). On the basis of co-determination and shared responsibility, the union stands for the preservation of the economic and social interests and the improvement of the living conditions of the workers. Central topics in our political work are our commitment for social justice, equal rights for men and women, equal opportunities and environmental protection. The union is independent of political parties and other institutions in society and underlines its firm belief in the tried and tested principle of the unity union. The trade union will pursue its principles, goals and tasks also through measures of training and further training of its members and the promotion and broadening of the general education level and the union and economic knowledge as well as through strengthening the democratic understanding of its members.
<b>§ 4 How to become a member</b> 1. An application for membership has to be done in writing. 2. In the case of the board of a local group or the group of union representatives or the district management denying admission, the board of the district can be appealed to. If this body denies admission, an appeal can be filed with the Main Board. The decision of this body is final. 3. The member will be given a membership card and handed a copy of the statutes. 4. In the case of members coming over from other trade unions, their previous membership in such organisation will be counted if the payment of dues was not interrupted. 5. Any earlier memberships can be acknowledged by the Main Board.

§ 5 Readmission
People expelled from the IG BCE or from another trade union affiliated to the DGB can be readmitted upon application by the Main Board after a hearing before the district and state district board.
<b>§ 6 Termination of membership</b> 1. The membership ends with a) cancellation of membership b) withdrawal c) death d) transfer to another trade union affiliated to the DGB e) exclusion. 2. The withdrawal from the trade union is only possible at the end of a calendar month. It must be declared in writing, enclosing the membership card, six weeks before the desired date of withdrawal to the board of the local group or the group of trade-union representatives. The obligation to pay membership dues will remain for as long as the withdrawal has not been properly carried out. 3. The withdrawal will also take effect if it was declared vis-à-vis the district management. 4. The IG BCE can cancel the membership if, after futile written demands for payment, the member has failed to pay the membership dues, the amount and kind of which is stipulated in the statutes, for more than three months or if the member is not prepared to make payment of the membership dues in the way stipulated by the district board. The cancellation is effected in writing by the district management, abiding by a time period for termination of six weeks till the end of the quarter. 5. Upon termination of membership, all rights vis-à-vis the IG BCE cease to exist. Financial claims or subsequent costs which were incurred during the time of membership cannot be claimed.
<b>§ 7 Arbitration and expulsion procedures</b> 1. Arbitration proceedings can be opened for a member who a) has damaged the trade union or the interests of its members b) refuses to act according to the decisions of the bodies of the IG BCE, insofar as these are based on the statutes c) belongs to an opposing organisation or who is active for such organisation d) lends his or her active support to anti-democratic or anti-union efforts of political parties, organisations or groups by being a member or supporting such organisations verbally or in writing e) is found guilty of embezzlement, misappropriation, theft or falsification of accounting documents or any documents to the detriment of trade-union assets f) does not fulfil his or her duty to duly deduct any remunerations from offices held because of the co-determination functions or similar tasks. 2. Arbitration proceedings will be opened upon a motion. The motion must be substantiated in writing. 3. All bodies of the IG BCE are entitled to file a motion. 4. The motion must be filed within a term of two weeks, starting from the date of the motion, with the body which has to decide about opening arbitration proceedings. 5. The Main Board is entitled to open arbitration proceedings without a prior motion required. 6. In the case of a member filing a motion for arbitration proceedings being opened against him/herself, the district board has to open arbitration proceedings. 7. The decision to open proceedings taken by the district board, the board of the state district or the Main Board and the reasons are to be explained to the mover of the motion and to the member concerned in writing within a period of two weeks. Simultaneously, the member must be invited to make a written statement within an adequate period of time. 8. When arbitration proceedings are opened, an arbitration committee is to be established. This arbitration committee consists of one chairperson and four assessors. The members of the arbitration committee must be IG BCE members who, at the point of time of the opening of arbitration proceedings, must have been members of the union for two continuous years. They should not have any direct participation in the argument in question. The chairperson and two assessors will be appointed by the body which opened the arbitration proceeding. Two further assessors are to be appointed by the member concerned and have to be identified to the chairperson of the arbitration committee within a period of time of two weeks after receipt of the decision to open the proceedings. 9. The Main Board will issue guidelines for the implementation of the arbitration proceedings.

10. The arbitration committee can take the following decisions: a) Exoneration of the accused member b) Issue of a written reprimand c) limited suspension from union functions and delegations d) Expulsion from IG BCE.
11. The decision must be substantiated in writing and has to be presented to the Main Board. If the Main Board confirms the decision it is to be served upon the parties concerned. The parties concerned can file a complaint in writing with the aggrievance committee against the confirmed decision during a time period of four weeks from being served the decision. The decision of this committee is final. In the case of the Main Board not confirming the decision of the arbitration committee, it has to request a decision of the aggrievance committee. For this case, too, the decision of this committee is final.
12. The rights of the member to perform functions and delegations according to the rules of the present statutes will be suspended for the time of the arbitration proceeding, starting from the day when the motion for opening such proceedings and the reasons were served on the member concerned. All further rights and duties will only expire from that date onwards when the decision about the expulsion becomes final and absolute.
13. With the loss of membership, all rights and financial claims to the trade union and to the trade union's assets cease to exist.
<b>§ 8 Rights and duties of a member</b> 1. Every member is entitled and called upon to influence the trade union's political decisions and the composition of union bodies by participating in trade union meetings and elections. 2. Upon fulfillment of the prerequisites for claims, every IG BCE member can be granted the following services within the framework of the present statutes: a) Strike pay (§ 11) b) Support of workers victimised after taking action (§ 12) c) Legal protection (§ 13) d) Personal accident insurance for leisure-time activities (§ 14) e) Celebrations of anniversaries, the details of which will be regulated in a guideline issued by the Main Board. 3. The statutes of the IG BCE and the decisions of the bodies are binding for every member. 4. Every member is obliged to pay the membership dues stipulated in the statutes. As a rule, the dues will be collected by cashless methods. The Main Board will decide upon the admissible methods of collection. 5. Every member is obliged to inform the IG BCE about a change of residence or plant.
<b>§ 9 Membership dues</b> The IG BCE's financing is done from the membership dues. The membership dues have to be paid to the Main Board in their entirety. 1. The dues to be paid by the members are determined according to the table enclosed (attachment). 2. The membership dues are calculated according to the average gross monthly income generated in the context of the work and/or vocational training (i.e. wages, salary, short-time allowance). Payments such as social allowances, hardship allowances, collective piece wages, income from overtime will be left out of account, however, this does not include generally paid allowances (i.e. residence allowances). Details are regulated by a guideline. 3. The membership dues for pensioners without earned income or with only minor earned income amount to 4/10 of the dues acc. to Number 1 and will be calculated on the basis of the pension and related benefits income. Company pensions will also be included in the calculation. Accident pensions and comparable benefits will not be taken into account. Those members who obtain benefits from public bodies have equal status as the pensioners, insofar as this serves to bridge the time period before receiving old-age pensions (adjustment benefits, temporary pension allowances). 4. Every member is free to pay membership dues of a higher dues level. 5. During military service or alternative civilian service as well as for the time of receiving educational allowance, membership will be continued free of the obligation to pay dues from the point of time of notification of the local group or the group of union representatives and the district management.

6. In exceptions, the dues according to statutes can be reduced or waived upon decision by the Main Board.
7. In exceptional cases, the Main Board can decide to collect extraordinary membership fees.

#### § 10 Collective bargaining policy

1. The overall responsibility for collective bargaining policy lies with the Main Board.
2. The members of the collective bargaining commission are elected by the union representatives on the shop floor or by the local groups and have to be confirmed by the district board.
3. Details will be regulated in guidelines to be issued by the Main Board.

#### § 11 Industrial action

1. In order to push through or to defend the interests of its members, the IG BCE can call a strike.
2. The preparation, start and implementation of strike ballots or industrial action require the consent of the Main Board. This body will issue guidelines for it within the framework of the statutes. A failure of negotiations has to be decided upon by the collective bargaining commission and to be declared to the negotiation partners in writing. Applications to carry out strike ballots and/or industrial action can be filed by the collective bargaining commissions to the attention of the Main Board.

The Main Board can decide to take strike action when 75 % of the members participating in the strike ballot by secret vote were in favour of such action.

In special cases and upon decision by the Main Board, a strike ballot can be dispensed with.

3. All members are entitled to participate in the vote who, according to the decision of the Main Board, are to participate in industrial action. In this, more than 50% of the people entitled to vote have to participate in the ballot.
4. Carrying out a token strike does not require the prior undertaking of a strike ballot.
5. If a strike ballot on a continuation or termination of a strike is carried out, the continuation of such strike requires a majority of 75 % in the sense of Number 2. If circumstances require it, a strike can be interrupted at all times for companies or parts of companies upon decision by the Main Board. If there was a strike ballot prior to the start of a strike, there will be a strike ballot before the termination of such strike action. A result through negotiation is assumed to be obtained if there are not 75 % of the members participating in strike action rejecting the result in the strike ballot.
6. Furthermore, the Main Board is entitled to decide in favour of taking strike action without a prior strike ballot in the case of:
  - a) attacks on the fundamental democratic order or on basic democratic rights
  - b) attacks on the existence or the rights of trade unions
 In general, such a measure must be preceded by an attempt to come to a joint procedure with the German Trade Union Federation, the DGB.
7. Every member on strike is obliged to follow orders and instructions of the Main Board, the strike management or any other responsible organisational units within the framework of the strike action. Furthermore, every member on strike is obliged to carry out public relief work during strike action in the framework of an agreement on emergency service concluded with the IG BCE. Expulsion proceedings can be opened against members who act in breach of this obligation.
8. Members who are participating in strike action decided by the Main Board will receive strike pay for the duration of the strike, provided they have been members for more than three months and paid their dues according to the statutes.
 

Members who take up work before termination of the strike or who carry out another occupation during the strike action will lose their claim to strike pay retrospectively. If any advance payments were made, these would have to be paid back.
9. The amount of strike pay is calculated from the average dues according to § 9 of the statutes paid over the last three months before the beginning of strike action. It depends on the lost net income of the striking member because of the strike action. The basis for calculation is the gross income, defined according to § 9. As a maximum, the lost net income will be granted.
 

With a membership of less than one year but more than three months, a deduction of 10 % is made.

Members who have been with the union for less than three months have no claim to receive strike pay. The Main Board will decide upon exceptions.

#### § 12 Support of workers victimised after taking action

1. Members who are dismissed because they speak up for the trade union will receive support under the following preconditions:
  - a) their activities were carried out in agreement with the responsible trade union bodies
  - b) the fact that they were victimised must be confirmed by the district board and the support of these victimised workers has to be authorised by the Main Board
  - c) the member must have been a member of the trade union for at least three months without interruptions and must have paid dues according to the statutes.
2. The support can be given up to a length of time of 13 weeks. In special cases, the Main Board has the right to prolong the duration of support.
3. The support is paid from the day onwards at which the payment of remuneration for work stops. The amount of support payment depends on the dues of the member. As a maximum, the lost net wages are granted. Any support payments from public funds have to be counted towards the support of workers victimised after taking action in such a way, that the total amount does not exceed the average net income of the last three months before the victimisation took place.
 

The support has to be paid back if the person victimised will retrospectively receive remuneration for the time for which support was granted.

#### § 13 Legal protection

1. The IG BCE grants its members legal protection by advising them on legal matters and by representing the members at court in all matters of exercising fundamental rights, of labour laws, including the Industrial Constitution Act, of social insurance rights, civil servants legislation and the Staff Representation Act, as well as in other matters which originate from the activity of the member directly on the shop floor or from his or her speaking up for the IG BCE.
2. Legal protection can be granted after a continuous payment of membership dues of three months (qualifying period). This does not apply to disputes which originated before the beginning of the membership.
3. In the case of providing legal protection by representing the member in court, the IG BCE also takes over the necessary costs of the proceedings. Surviving dependants can be granted legal protection for disputes from the employment relationship of the deceased and for disputes with public insurance and pension funds.
4. The Main Board regulates the proceedings for granting, carrying out and withdrawal of legal protection.

#### § 14 Personal accident insurance for leisure-time activities

1. For members who have been members of the union for at least 12 months and who have paid their dues according to § 9 of the statutes for such time, a personal accident insurance for leisure-time activities is concluded.
2. The insurance covers accidents outside the working environment and apart from the direct way to or from work, that is to say, such accidents that are not regarded as accidents in the sense of the social security law or as accidents sustained on duty in the sense of the civil service laws. In cases of doubt, the decision of the agency responsible for statutory accident insurance or the office responsible for accidents sustained on duty is final. The insurance cover is a global cover. The use of airplanes for round trips and holiday trips is also insured. If no other regulations are stipulated, the personal accident insurance for leisure-time activities is ruled by the General Accident Policy Conditions.
3. According to the stipulations of the insurance contract, the personal accident insurance for leisure-time activities provides for the following benefits at the moment:
  - a) Daily benefits for hospitalisation after an accident to the amount of 30 times the monthly insurance premium as a non-recurring payment for every accident, but no more than DM 100.00 per day of in-patient treatment.

It is a prerequisite for granting the claim that the insured person was admitted to a hospital for at least 48 hours due to an accident having occurred outside work. A three-day hospital stay will always be counted as a 48-hour stay, with the date of admission and the date of discharge being counted as one calendar day each. During the

stay in nursing homes, health spas and sanatoriums, no daily benefits for hospitalisation after an accident are paid.

- b) Invalidity compensation
 

to the amount of 500 times the monthly insurance premium, but as a minimum, DM 2,500.00 DM as non-recurring financial compensation in the case of total invalidity; with a partial invalidity of at least 20 percent, the part corresponding to the degree of invalidity.
- c) Compensation payable at death
 

to the amount of 200 times the monthly insurance premium of the member.
4. The monthly insurance premium of the member is the average amount resulting from the last twelve months.
 

For pensioners who are no longer in employment and who do not pay full premiums, a compensation for invalidity is excluded.
5. Members who are behind with their payments of premiums for more than two months are not entitled to claim insurance benefits.
6. Applications for benefits from the personal accident insurance for leisure-time activities have to be directed to the responsible district management, together with presentation of the membership card, evidence of the paid premiums and the documents relating to the accident in question.

#### § 15 Quorum, elections and votes

1. a) Meetings of members, local groups or groups of union representatives on the shop floor to which written invitations were sent out have a quorum, if the invitation process was adhered to properly.
 

b) Furthermore, meetings, conferences and sessions have a quorum if more than half of the people invited are present. The quorum is established by the chairperson.
2. At the trade union congress, the conference of state district delegates and the conference of district delegates, those people are entitled to vote who have been awarded the right to vote after the examination by the credentials committee.
3. Elections can only take place if they were announced in the agenda. The agenda has to be made known at least one week before the beginning of the meeting, conference or session together with the invitation in writing.
4. If there is more than one function to fill in one ballot, all candidates have to be included in the list of proposals.
5. If there is only one function to fill in one ballot, the candidate is deemed to be elected who received the absolute majority of the cast votes.
6. If there is more than one function to fill in one ballot, only as many candidates can be marked on the ballot paper as there are to be elected in total. A ballot paper is valid if at least half of the number of people to be elected from the list of proposals is marked. Those candidates are deemed to be elected who received the absolute majority of the cast votes.
7. If there is no absolute majority of cast votes or if there is a parity of votes in the first ballot, a further ballot will take place, in which the simple majority is enough. For such a ballot, no further candidates can be suggested. Upon a parity of votes, the decision is taken by drawing lots.
8. A secret ballot takes place for the elections of the members of the Main Board, the state district board and the district board. Otherwise only upon motions.
9. If the statutes do not provide otherwise, decisions require simple majority of cast votes. Abstentions and cast invalid votes are counted as non-cast votes.
10. Amendments of the statutes require a  $\frac{4}{5}$ , a  $\frac{2}{3}$  or a simple majority of the members of the trade union congress entitled to vote, or a  $\frac{2}{3}$  majority of the advisory board.
 

The §§ 1 Numbers 1 and 2, 41 and 43 require a  $\frac{4}{5}$  majority of the members of the trade union congress entitled to vote.

The §§ 2 and 3, 7 and 8, 9 and 10, 13, 15 to 21, 24 to 34, 37 to 40, 44 and 45 require a  $\frac{2}{3}$  majority of the members of the trade union congress entitled to vote.

The provisions of the statutes not listed above can be amended by simple majority by the trade union congress or the advisory board according to § 18 Number 5.
11. Insofar as according to the statutes, the election has to be held after a proposal by one body, only the proposed person can be effectively elected. The election of members of the district or state district boards is only effective if it is confirmed by the Main Board (see § 19 Number 7). The confirmation can be withheld if a trade-union policy reason or a reason in the person him/herself requires this line of action.

The person concerned can file an appeal with the grievance committee within one week against the withheld confirmation.

12. Insofar as the present statutes or guidelines include stipulations for elections, these are also applicable.

#### § 16 Challenge and nullity of elections

1. Within a period of time of two weeks from its carrying out, an election can be challenged. The declaration of avoidance must be effected in writing, indicating the reasons for challenging and evidence and for the attention of the Main Board.
2. Entitled to challenge elections are:
  - a)  $\frac{1}{10}$  of the people entitled to vote at the election that is challenged
  - b) the board of the responsible district or state district.
3. A challenge of an election is only to be allowed if a shortcoming in the election procedure is detected and if this could have had influence on the result of the elections.
4. Within a period of time of one week, an appeal against the decision of the Main Board can be filed with the grievance committee.
 

Declarations of avoidance have a suspensive effect. In order to avoid any disadvantages for the organisation, the Main Board can issue provisional orders, carrying out § 19 of the statutes.
5. Elections of the trade union congress can only be challenged until its termination.

#### § 17 Trade union congress

1. The highest body of the IG BCE is the trade union congress.
2. It consists of 450 delegates, elected for the time period until the next regular trade union congress. The split-up of delegates is done according to the share of members of the state districts. To this end, the Main Board issues guidelines.
3. The regular trade union congress takes place every four years. It is convened by the Main Board.
4. The Main Board can convene an extraordinary trade union congress. It is to be convened if more than one third of the delegates to the trade union congress asks for it or if the General Secretary left his/her office and a by-election cannot take place within six months at a regular trade union congress.
5. The delegates are elected by the conference of district delegates.
6. The point of time and the agenda of the trade union congress have to be published at least three months before its beginning in the IG BCE newspaper. For an extraordinary trade union congress, this time period can be shortened adequately by the Main Board.
7. Motions for the trade union congress can be filed by the local groups or the groups of union representatives on the shop floor, provided there is a decision to that end by the conference of district delegates.
 

Furthermore entitled to file motions are:

  - a) the Main Board
  - b) the conferences of state district delegates
  - c) the conferences of district delegates
  - d) the central industrial group committees
  - e) the Federal staff group committees.
8. The motions have to be filed by the date determined by the Main Board. They have to be published latest four weeks before the trade union congress in the IG BCE newspaper.
9. The participants with advisory function at the trade union congress are:
  - a) the members of the Main Board
  - b) the members of the advisory board
  - c) the chairpersons of the grievance committee, of the financial committee, the statutes' committee and further committees to be elected during the trade union congress
  - d) the heads of the state districts and their deputies
  - e) the heads of the districts
  - f) the chairpersons of the Federal staff group committees
  - g) the heads of departments of the administration at headquarters
  - h) the chairpersons of the industry group committees.
10. The trade union congress has a quorum if more than half of the delegates entitled to vote are present. The decisions are taken with the majority of the cast votes, insofar as the statutes do not provide otherwise.
11. The trade union congress constitutes itself and adopts rules of procedure.
12. The deliberations and decisions of the trade union congress have to be reflected in the minutes.
13. The trade union congress has the following tasks:
  - a) to adopt the business report and the treasurer's report of the Main Board as well as the reports of the commissions and committees to be elected by the trade union congress

- b) to approve of the actions of the Main Board
- c) to establish trade union policy and to set up basic principles for trade union work
- d) to elect the Main Board
- e) to adopt decisions about the statutes
- f) to decide upon the motions filed to it
- g) to elect commissions and committees.

#### § 18 Advisory board

1. In the time between two trade union congresses, the advisory board will be convened by the Main Board at least once a year. Furthermore, it has to be convened if two thirds of its members apply for it.
2. The advisory board consists of 150 lay members who are elected by the conferences of state district delegates. For every member of the advisory board, a personal deputy has to be elected who will take the place of the delegate in the case of him/her being unavailable. The split-up of delegates is done according to the number of members of the state districts.
3. The members of the Main Board, the heads of the state districts and the chairpersons of the commissions and committees to be elected by the trade union congress participate in an advisory function. Moreover, the Main Board can invite further members in accordance with the respective agenda.
4. The advisory board has the following tasks:
  - a) to adopt the report of the Main Board on the current trade union policy situation and to adopt the necessary decisions
  - b) to carry out necessary by-elections for the Main Board according to § 19 of the statutes, with the exceptions of the General Secretary and the commissions and committees to be elected by the trade union congress
  - c) to elect the delegates to the Federal congress of the DGB
  - d) to elect the resolution and statutes' committee for the trade union congress upon proposal by the Main Board
  - e) to decide, upon motion by a body concerned, about matters where the agreement with the Main Board as stipulated in the statutes cannot be reached
  - f) to decide upon amendments in the organisational areas according to § 1 Number 3 of the statutes.
5. Upon motion by the Main Board, the advisory board can decide in the cases mentioned in § 15 Number 10 of the statutes with a  $\frac{2}{3}$  majority of the members entitled to vote upon an amendment of the statutes.  
If the Main Board intends to recommend an amendment of the statutes to the advisory board, the suggested text, together with the reasons for such amendment, has to be published in the trade union newspaper (§ 42) eight weeks before the intended date of the advisory board meeting.  
The meetings of delegates of the districts are entitled to make statements as regards the intended amendments of the statutes.

#### § 19 Main Board

1. The Main Board consists of full-time officers and lay members. Every state district is represented by three lay members. Furthermore, there is one lay member for each of the central staff groups.  
Full-time officers are:  
the General Secretary  
the deputy General Secretary  
the treasurer and  
six further officers.
2. The members of the Board are elected in secret ballots each for:  
the General Secretary  
the deputy General Secretary  
the treasurer  
the six further officers and  
the lay members.
3. A person is elected who received most of the cast votes and more than half of the votes of the people entitled to vote in a secret ballot. If there is no majority of the people entitled to vote, a second ballot will take place, in which a person is deemed to be elected who receives the majority of the cast votes. In the case of a parity of votes, the election will be repeated.  
If for a second ballot new candidates are suggested, such a person is deemed to be elected who receives a majority of the cast votes and more than half of the votes of those entitled to vote. If this ballot again does not result in a majority of people entitled to vote, a third ballot will take place in which a person is deemed to be elected who receives the majority of the cast votes.  
For this ballot, no further candidates can be suggested.

4. At every regular trade union congress, the Main Board will be elected. Its term of office ends with the election of the new Main Board.
5. If members of the Main Board withdraw, the advisory board has to replace them in elections. This does not apply to the General Secretary, who can only be elected by an extraordinary trade union congress, insofar his/her election cannot be carried out during a regular trade union congress within six months.
6. The Main Board represents the interests of the IG BCE internally and externally.  
It can delegate some of its tasks to the Executive Main Board or to some of its members or to other people.
7. In particular, the Main Board
  - a) has to fulfil all tasks assigned to it by the statutes and by the decisions of the trade union congress; in order to do so, it can issue guidelines
  - b) has to monitor avoidance by the statutes
  - c) has to undertake it to employ, transfer and dismiss the employees of the IG BCE in its own area of responsibility
  - d) has to convene the trade union congress and has to give a written statement of account
  - e) has to adopt an election order
  - f) has to decide upon the start and implementation of industrial action
  - g) has to adopt rules of procedure for the Executive Main Board
  - h) has to decide about the use of the entire property or of parts thereof
  - i) has to confirm the election of the members of the district boards and state district boards
  - j) has to adopt the remuneration order and employment conditions
  - k) has to issue guidelines.

#### § 20 Executive Main Board

The elected full-time officers as members of the Main Board according to § 19 Number 2 form the Executive Main Board. They are bound by the decisions of the Main Board and obliged to carry them out.

#### § 21 Financial committee

1. The regular trade union congress elects a financial committee which consists of one representative from each of the state districts. The financial committee constitutes itself and adopts rules of procedure.
2. The members of the financial committee must neither be employees of the IG BCE nor members of the Main Board.
3. The treasurer participates in all meetings of the financial committee.
4. The financial committee has to audit the accounting of the Main Board and their administration of assets and trust companies.  
Minutes have to be written about such auditing, the copies of which have to be handed over to the chairpersons in representation of the Main Board and to the treasurer.
5. The financial committee has to report on its activity to the trade union congress.

#### § 22 Personnel committee

1. In order to regulate remunerations and employment relationships for the people employed with the trade union, the trade union congress elects a personnel committee. Its term of office is from one regular trade union congress to the next. The chairperson is an employed member.  
The personnel committee consists of ten employed lay members and eight staffmembers of the trade union. Among these eight staffmembers of the trade union, there have to be represented:
  - a) a minimum of one representative each from the districts, the state districts and the administrative headquarters from the group of the political secretaries
  - b) a minimum of one representative each from the districts, the state districts and the administrative headquarters from the group of the other staffmembers
  - c) one member from the group of the heads of the state districts.  
The members of the personnel committee employed with the trade union should be members of the central works council and will be elected upon that body's proposal, with the exception of the head of the state district, who will be elected upon a proposal by the heads of the state districts.  
A member of the Executive Main Board participates in the meetings.
2. In accordance with the Main Board, the personnel committee establishes the remuneration order for the employees of the trade union and establishes the conditions of employment.

3. Appeals of staffmembers against the establishment of their remuneration will be dealt with by the personnel committee. The personnel committee in its composition with lay members finds a final decision in agreement with the Executive Main Board.

#### § 23 Statutes' committee

1. The regular trade union congress elects a statutes' committee. Every state district is represented in it by one member. The majority of these members should be lay members. The statutes' committee constitutes itself and adopts rules of procedure.
2. The statutes' committee has the task to carry out initial consultations on necessary amendments of the statutes in agreement with the Main Board and to issue a recommendation on it.
3. In accordance with the Main Board, it decides on disputes as regards the interpretation of the statutes, insofar as the grievance committee is not responsible.
4. It checks the guidelines to be issued by the Main Board as to their accordance with the statutes.
5. The statutes' committee has to report to the trade union congress about its activities, it has to make statements to the motions filed as regards the statutes, and it has to give recommendations for the adoption of decisions.

#### § 24 Aggrievance committee

1. The regular trade union congress elects an aggrievance committee. This is to consist of one representative of each of the state districts. The aggrievance committee constitutes itself and adopts rules of procedure.
2. The aggrievance committee can be addressed by members who are immediately infringed in their membership rights because of measures or decisions of trade union organisations or bodies of the IG BCE, in particular
  - a) for appeals against the exclusion from the trade union or other sanctions according to § 7 Number 10 of the statutes
  - b) for personal disputes among members.
3. The members of the aggrievance committee must neither be employees of the IG BCE nor members of the Main Board.
4. The aggrievance committee is to report on its activities to the trade union congress.
5. Details are regulated by guidelines to be issued by the Main Board.

#### § 25 Resolution committee

Before the trade union congresses, the advisory board elects a resolution committee out of the number of registered delegates. This shall consist of one representative of each of the state districts as well as one representative of each of the central staff groups. The representatives are suggested by the state districts and the central staff groups.  
The committee has to take a position as regards the motions filed insofar as these do not fall within the province of the statutes' committee, and it has to give recommendations for decisions.

#### § 26 Organisation

The trade union is structured as follows:

- a) local groups and union representatives on the shop floor
- b) districts
- c) state districts
- d) Main Board.

#### § 27 Local groups

1. The district board decides upon the foundation, dissolution and merger of local groups.
2. Bodies of the local groups are:
  - a) the meeting of members
  - b) the board of the local group.
3. Generally, the board of the local group consists of
  - 1st Chairperson
  - 2nd chairperson
  - Treasurer
  - Education officer
  - Secretary
  - Youth officer and three assessors.
4. The board of the local group is elected by the meeting of members for the time period of four years.  
Furthermore, the meeting of members elects three auditors who must not be members of the board of the local group.  
Necessary by-elections take place in a meeting of members.

5. Within the framework of the guidelines of the Main Board, the board of the local group has the following tasks:
  - a) to inform the members about the decisions of the union bodies and about the content of the union policy
  - b) to carry out meetings of members
  - c) to recruit members
  - d) to write an annual activities' and treasurer's report and to present them to the meeting of members
  - e) to distribute information material to the members, insofar as no central mailing was carried out
  - f) to support the district in all organisational measures
  - g) to ensure statutory payment of dues
  - h) to see to carrying out the local education work
  - i) to inform the district on all important events in the local group which concern the interests of the organisation.
6. For the election of delegates, the following is applicable:
  - a) the delegates and deputy delegates for the conference of district delegates who are to be nominated from the local groups according to a decision of the district board are elected by the chairpersons of the local groups within the area of the district
  - b) the delegates and deputy delegates for the conference of state district delegates, for the advisory board and for the trade union congress as well as the members of boards, commissions and committees who are to represent the local groups according to a decision by the district board are suggested by the meetings of members of the local groups.
7. Details as regards the election, the composition, the tasks and the work of the local groups are regulated by a guideline which is issued by the Main Board.
8. Local groups on the shop floor in the former organisational area of the Mining and Energy Workers' Union (IG Bergbau und Energie) will remain. New local groups on the shop floor can be formed in companies with up to 750 employees upon motion and by a decision of the district board.

#### § 28 Group of union representatives on the shop floor

1. The district board decides about the foundation and the dissolution of groups of union representatives on the shop floor. Inbetween the trade union congresses and within the framework of the decisions taken by the district board, union representatives on the shop floor (Vertrauensleute) are generally elected in all companies in the year which precedes a regular trade union congress.  
The election is done by the members in the company. Officers of the local groups, members of the works council, youth/vocational trainee representatives and union representatives for the disabled are deemed to be representatives without any special election, insofar as they stood for elections on a trade union list. The trade union representatives on the shop floor form the group of trade union representatives on the shop floor.  
Bodies of the union representatives on the shop floor are:
  - a) the group of union representatives on the shop floor
  - b) the board of the group of union representatives on the shop floor.
2. The board of the group of union representatives on the shop floor generally consists of:
  - the first chairperson
  - the second chairperson who holds the function of an education officer
  - the treasurer
 in companies with up to 30 union representatives on the shop floor and in companies of 30 to 100 union representatives on the shop floor, a board of five people, which elects from its members a chairperson, his/her deputy, an education officer and a treasurer in companies with more than 100 union representatives on the shop floor a board consisting of eleven people, who elect from its members a chairperson, his/her deputy, an education officer and a treasurer.  
In accordance with the district, other regulations are possible.
  3. The board of the group of union representatives on the shop floor is elected by the group of union representatives on the shop floor for the period of time of four years.  
Furthermore, the group of union representatives on the shop floor elects three cash auditors who must not be members of the board of the group of union representatives on the shop floor.  
Necessary by-elections are carried out by the group of union representatives on the shop floor.  
The board of the group of union representatives on the shop floor writes an activities' and cash report and presents these to the group of union representatives on the shop floor.

4. Within the framework of the guidelines of the Main Board, the group of union representatives on the shop floor has the following tasks:
  - a) to inform the members about the decisions of the bodies and the contents of trade union policy
  - b) to carry out meetings of members and/or union representatives on the shop floor
  - c) to recruit members
  - d) to prepare elections to the works council, the staff council, the representation of young people and of vocational trainees, the representation of the disabled, the supervisory board and the company's health insurance fund, insofar as these are limited to the individual company, and to set up the required list of proposals.  
The preparation and the carrying through of the elections is done in agreement with the district of the IG BCE, observing the more detailed guidelines of the Main Board
  - e) to distribute information material to the members insofar as this is not done centrally
  - f) to support the district at all organisational measures
  - g) to secure the regulation of dues in accordance with the statutes
  - h) to see to the company-related education work being carried out
  - i) to inform the district on all important matters in the company which have an impact upon the interests of the organisation.
5. For the election of delegates, the following is applicable:
  - a) the delegates and deputy delegates for the conference of district delegates who are to represent the group of union representatives on the shop floor according to a decision of the district board are elected by the groups of union representatives on the shop floor within the area of the district
  - b) the delegates and deputy delegates for the conference of state district delegates, for the advisory board and for the trade union congress as well as the members of boards, commissions and committees who are to represent the group of union representatives on the shop floor according to a decision of the district board are suggested by the groups of union representatives on the shop floor.
6. Details as regards the election, the composition, the tasks and the work of the union representatives on the shop floor are regulated by a guideline which is issued by the Main Board.

#### §29 Financing and auditing of local groups/groups of union representatives on the shop floor

In order to carry out their statutory tasks, the local groups up to a size of 2,500 members receive 10% and the groups of union representatives on the shop floor receive 1.5% of the sum of membership dues of their members.

If in justified exceptional cases larger local groups are formed, the refund will be reduced adequately by a decision of the Main Board.

Structurally weak local groups/groups of union representatives on the shop floor can file applications for a financial compensation at the responsible district board.

Upon the dissolution of local groups/groups of union representatives on the shop floor, the existing financial means will be redirected to the Main Board. Possibly existing inventory has to be handed back to the Main Board via the responsible district.

The lay auditors of the local groups or of the groups of union representatives on the shop floor have to carry out at least one auditing every calendar year. All monetary holdings, settlements of dues and receipts have to be presented to them and necessary explanations have to be given.

Minutes have to be written for the auditing and these have to be presented to the responsible district.

The auditors will get a manual in order to support their auditing activities.

#### §30 Districts

1. For organisational purposes, the members are structured in districts. The Main Board, after having heard the state district and the district boards, decides about the foundation, dissolution, merger or changes of the districts.
2. The bodies of the districts are the conference of district delegates and the district board.
3. The delegates are elected before each conference of district delegates for the period of time of four years. The election of delegates takes place according to §§27 and 28 of the statutes and they are elected by the local groups and the groups of union representatives on the shop floor.

4. The number of delegates depends on the number of members, and will be for
 

up to 10,000 members	60 delegates
up to 20,000 members	80 delegates
up to 45,000 members	100 delegates
over 45,000 members	130 delegates.

 Other regulations can be found in exceptional cases and with the prior consent of the Main Board.
5. The district board is responsible for the splitting-up of mandates for the local groups and the companies.
6. Generally, the conference of district delegates takes place every two years. It is convened by the district board. The conference of district delegates discusses and decides all matters and measures of importance for the district. Furthermore, it has to be convened if more than one third of the delegates require this.
7. A conference of district delegates has to be held at least six months before a regular trade union congress will be held.
8. This has the following tasks:
  - a) Adopt the activities' and auditor's reports
  - b) Approval of the actions of the district board
  - c) Election of the district board
  - d) Election of three auditors and deputy auditors
  - e) Election of the delegates to the conference of state district delegates
  - f) Election of the delegates to the trade union congress
  - g) Election of the delegates to other bodies
  - h) Adopting decisions on the motions presented.
9. Motions to the conference of district delegates can be filed by:
  - a) the district board
  - b) the district group conferences
  - c) the local groups, the groups of union representatives on the shop floor and the meetings of members of the companies.
10. White-collar workers, women and young people need to be taken into consideration in the elections to be carried out in the district.

#### §31 Management of districts

1. The district board consists of
  - a) the full-time head of the district
  - b) the full-time deputy head of the district, insofar as the Main Board has not decided upon some other form for the district
  - c) a minimum of 9 and a maximum of 19 lay members
  - d) the further secretaries of the district.
 The majority of the district board has to be lay members. White-collar workers, women and young people have to be taken into consideration. The district board constitutes itself in its meeting and elects its first chairperson and the deputy chairperson. The first chairperson should be the head of the district and the deputy chairperson should be the deputy district head, if applicable. Necessary by-elections have to be held in the subsequent conference of district delegates.
2. The board members of the district require confirmation by the Main Board.
3. The head of the district and, if applicable, also the deputy head of the district will be elected by the district board upon a proposal by the Main Board after consultation with the head of the state district. The secretaries of the district are employed, transferred and dismissed by the Main Board after consultations with the head of the state district and the head of the district. By virtue of their offices, they belong to the district board.
4. Within the framework of the decisions by the Main Board and the state district board, the district board takes the decisions necessary to fulfil its statutory tasks of the district, it monitors their implementation and takes adequate measures.

#### §32 Tasks of the districts

Within the framework of the statutes and according to the decisions and instructions of the Main Board or its representatives, the districts have mainly the following tasks:

1. Punctual and complete collection of the statutory amounts of dues as well as administration and settlement of membership dues.
2. Promoting and advising the local groups and the groups of union representatives on the shop floor, to monitor their work and to correct it by instructions, if necessary. Monitoring of income and spending by auditing at regular intervals.
3. Promoting recruitment efforts within the district in connection with the local groups and groups of union representatives on the shop floor and to carry out necessary measures.

4. Convening and carrying out of meetings, sessions, conferences and training events for members, local groups, union representatives on the shop floor, works council members and other officers. Advising local groups, union representatives on the shop floor and works council members on a regular basis and giving them current information.  
Carrying out of group work / working groups for white-collar workers, women, young people as well as for pensioners, the unemployed and foreign workers.  
Preparation of collective bargaining moves and special activities, continuous and intensive recruitment work.
5. Appointment of and use of the right to make proposals for representatives to internal and external bodies as well as the use of such rights of proposal.
6. Appointment and instruction of local officers, observing the applicable guidelines.
7. Consultation and support of members in all trade union matters.
8. Monitoring of collective bargaining and legal provisions in the companies.
9. Decisions on legal protection as well as its organisation and implementation.
10. Introduction and carrying out of elections which concern the companies, the local groups, the union representatives on the shop floor, the works council members and representatives for young people and vocational trainees according to instructions by the decisions and guidelines of the Main Board.
11. Representation of all other trade-union tasks, including the cooperation with the bodies of the DGB and with the other trade unions affiliated to the DGB.
12. Conclusion of collective bargaining agreements in individual cases and in accordance with the Main Board and with the head of the state district, in which the area of applicability does not go beyond the area of the district.

#### §33 State districts

1. The state districts consist of the districts. The Main Board, after having heard the state district boards concerned, decides upon the foundation, dissolution, merger or changes of state districts.
2. Bodies of the state districts are the conferences of state district delegates and the board of the state districts.
3. Every year in which a regular trade union congress is announced, there will be a regular conference of state delegates taking place immediately after the termination of the conferences of district delegates which have to elect the delegates to be sent to this conference.  
If delegates from the organisational area of the district sending them to the conference are leaving that district, the mandate goes back to the district.

The number of delegates depends on the number of members

up to 60,000 members	60 delegates
up to 120,000 members	90 delegates
over 120,000 members	120 delegates.

The mode of calculation is established by the Main Board.

The state district board establishes the share of districts and the number of delegates according to their share of members.

4. The regular conferences of state district delegates have the following tasks:
  - a) to adopt the activities' and the auditor's reports
  - b) to decide upon motions
  - c) to elect the state district board and the auditors
  - d) to elect the delegates which the state district sends to other bodies.
5. Motions to the conference of state delegates can be filed by:
  - a) the board of the state district
  - b) the conferences of district delegates of the districts
  - c) the staff group committees of the state districts.
6. If necessary, extraordinary conferences of state delegates can be convened upon decision by the board of the state district, but only after communication with the Main Board.
7. For the elections to be carried out in the state district, white-collar workers, women and young people are to be taken into consideration.

#### §34 Management of state districts

1. The regular conference of state district delegates elects a state district board in every state district. By-elections for members of the state district board who leave during their term of office are held by the board of the district sending that member.

2. The state district board consists of:
  - a) the full-time first chairperson (head of the state district)
  - b) the full-time second chairperson (deputy head of the state district)
  - c) the further secretaries of the state district
  - d) no less than 9, but a maximum of 19 lay members. Every district has to be accounted for by at least one representative.  
The majority of the board of the state district has to be lay members. In it, white-collar workers, women and young people have to be taken into consideration adequately.
3. The members of the board of the state district require confirmation by the Main Board.
4. In order to fulfil its statutory tasks, the state district board has to take the necessary decisions and to monitor their carrying out, as well as electing the resolution committee for the conference of state district delegates. It meets whenever the necessity arises.
5. The management of the state district and the power to instruct resulting thereof rests with the head of the state district. He/she acts as a manager of the state district and as a representative of the Main Board.
6. The head of the state district as well as his/her deputy are elected by the state district board upon a proposal by the Main Board. The secretaries of the state district will be employed, transferred and dismissed by the Main Board after consultations with the head of the state district. By virtue of their offices, they belong to the state district board.

#### §35 Tasks of state districts

The head of the state district has the task to represent the interests of the trade union within his/her state district and to ensure a meaningful cooperation between the bodies of the state district. He/she has to observe the economic and social development within his/her state district in order to draw conclusions from it for the trade union work.

In particular, he/she has the following tasks:

- a) to implement decisions of the state district board, insofar as these do not contradict the statutes or the instructions of the Main Board
- b) to promote and advise the districts, to monitor their work and to correct it by instructions, if necessary
- c) to hold the necessary conferences with the full-time officers
- d) to promote recruitment efforts within the state district together with the districts and to carry out the instructions of the Main Board by implementing the necessary measures
- e) to conclude collective bargaining agreements within the state district, to carry out wage negotiations and to monitor strike action
- f) to carry out other measures which are necessary and in the interest of the trade unions, to organise or implement them by including the districts.

#### §36 Financing and auditing of districts and state districts

In order to fulfil their statutory tasks, the districts and the state districts will be given the necessary financial means by the Main Board. Details are regulated in the financial guidelines.

The lay auditors of the districts and state districts have to carry out an auditing at least once every six calendar months. All monetary holdings, settlements of dues and receipts have to be presented to them and necessary explanations have to be given.

Minutes have to be written for the auditing and these have to be presented to the district board or to the state district board. Copies of the minutes of the auditing will go to the responsible state districts and to the central administration, financial division.

The auditors will get a manual in order to support their auditing activities.

#### §37 White-collar workers' organisation

1. The white-collar workers' organisation is a part of the general trade union work of the IG BCE. The representation of the special occupational, economic and social interests of white-collar workers is promoted by the IG BCE through providing them with their own structures and bodies.
2. The board division of white-collar workers has at its side a Federal committee of white-collar workers which consists of two representatives of each state district. The head of the board division of white-collar workers and the head of the department of white-collar workers are members of the Federal committee of white-collar workers who are entitled to vote. Furthermore, one representative of each Federal staff group participates in the meetings of the Federal committee for white-collar workers and has advisory functions. The

chairperson of the Federal committee for white-collar workers is the head of the board division of white-collar workers.

The Federal committee of white-collar workers is entitled to file motions to the trade union congress.

3. There are bodies for the white-collar workers' organisation at the district, state district and Federal level. Conferences of white-collar workers are held at the district level. At the Federal level, a day of the white-collar workers will be held before every congress. The carrying out is decided by the Federal committee of white-collar workers in accordance with the Main Board.
4. The white-collar workers' organisation is to be the task of the deputies of the head of the district or the head of the state district.
5. The staff group of white-collar workers is to be represented adequately in all bodies of the IG BCE. The group of white-collar workers has the right to make proposals.
6. The work in occupational groups is a major part of the white-collar workers' organisation.  
The following occupational groups are formed:
  - a) Master craftsmen
  - b) Technicians and engineers (above ground)
  - c) Technicians and engineers (below ground)
  - d) Laboratory technicians and laboratory assistants
  - e) Office workers
  - f) White-collar workers in the field service
  - g) White-collar workers outside the agreed scale rate and white-collar workers with executive functions
  - h) White-collar workers in raw materials refinement
  - i) Mining surveyors.

For the better implementation of trade-union goals in the group, a special meeting is to be held every four years for every occupational group. The carrying out of such meetings is decided by the Federal committee for white-collar workers in accordance with the Main Board.
7. After consultations with the Federal committee for white-collar workers, the Main Board establishes guidelines for the white-collar workers' organisation which will include and regulate the details about tasks, organisation, framework and composition of the bodies at all levels.

#### § 38 Women's organisation

1. The women's organisation is a part of the general trade union work of the IG BCE. The representation of the special occupational, economic and social interests of women is promoted by the IG BCE through providing them with their own structures and bodies.
2. The board division of women has at its side a Federal committee of women which consists of two representatives of each state district. The head of the board division of women and the head of the department of women are members of the Federal committee of women who are entitled to vote. The chairperson of the Federal committee for women is the head of the board division of women.  
The Federal committee of women is entitled to file motions to the trade union congress.
3. There are bodies for the women's organisation at the district, state district and Federal level. Women's conferences are held at the district level. At the Federal level, a women's day will be held before every congress. The carrying out is decided by the Federal committee of women in accordance with the Main Board.
4. The staff group of women is to be represented adequately in all bodies of the IG BCE. The staff group of women has the right to make proposals.
5. After consultations with the Federal committee for women, the Main Board establishes guidelines for the women's organisation which will include and regulate the details about tasks, organisation, framework and composition of the bodies at all levels.

#### § 39 Young people's organisation

1. The young people's organisation is a part of the general trade union work of the IG BCE. The representation of the special occupational, economic and social interests of young people is promoted by the IG BCE through providing them with their own structures and bodies.
2. The board division of young people has at its side a Federal committee of young people which consists of two representatives of each state district. The head of the board division of young people and the head of the department of young people are members of the Federal committee of young people who are entitled to vote. The chairperson of the Federal committee for young people is the head of the board division of young people.

The Federal committee of young people is entitled to file motions to the trade union congress.

3. There are bodies for the young people's organisation at the district, state district and Federal level (committees and conferences). At the Federal level, a Federal conference of young people will be held before every congress. The carrying out is decided by the Federal committee of young people in accordance with the Main Board.
4. The staff group of young people is to be represented adequately in all bodies of the IG BCE. The staff group of young people has the right to make proposals.
5. After consultations with the Federal committee for young people, the Main Board establishes guidelines for the young people's organisation and education work which will include and regulate the details about tasks, organisation, framework and composition of the bodies at all levels.

#### § 40 Industry groups

1. Industry groups are established in order to represent the special interests of members that result from their occupations in a particular line of production. The work of the industry groups is a part of the general trade union work. The Main Board decides as to which industry groups are established.
2. The secretariat for industry groups has in particular the following tasks:
  - a) to observe the development and tendencies of the industry groups and to evaluate them, and to make the members familiar with the results
  - b) to represent the interests of the members arising from their membership in an industry group within the organisation
  - c) to advise, prepare and support collective bargaining work
  - d) to assist in all general organisational matters within the industry groups
  - e) to defend the interests of the industry groups also against institutions outside the trade-union environment if an instruction to this end of the Main Board does exist.

These tasks do also extend to craftsman's workshops in the organisational area.  
Details are regulated by the Main Board by means of guidelines.

#### § 41 Trade union assets

The income and the assets of the IG BCE are to be used economically and carefully to the best interest of its members. The administration of the assets is done by the assets and trust administration companies of the IG BCE.  
The decision about the composition of the companies and their bodies is made by the Main Board.

#### § 42 Publications

The trade union issues a regularly appearing publication for all members. The publication is issued at the headquarters of the Main Board and will be sent to all members free of charge.

#### § 43 Dissolution

The trade union can only be dissolved upon a decision of the trade union congress with the votes of 4/5 of the delegates entitled to vote according to § 17 (18) Number 2 of the statutes. The trade union congress decides upon the use of the trade union assets.

#### § 44 Entry into force

Upon acceptance by the statutes' congress in 1996, the present statutes will enter into force.

#### § 45 Final and transitional provisions

1. In the organisational area which up to now was that of the Mining and Energy Workers' Union, legal protection work will be carried out by the staff of the Mining, Chemical and Energy Industrial Union.
2. In deviation from § 17 (18) Number 2, the 450 delegates to the 1st regular trade union congress in 1997 will be elected by the affiliated trade unions (Mining and Energy Workers' Union, Chemical, Paper and Pulp and Ceramic Workers' Union, Leather Workers' Union) according to the statutes, guidelines, decisions etc. valid for each of them. The Leather Workers' Union will have 30 delegates. The composition of the remaining group of delegates depends on the share of members of the Mining and Energy Workers' Union and that of the Chemical, Paper and Pulp and Ceramic Workers' Union as compared to the total number of their members at the qualifying date of 31 December 1995.

3. Up to the time of the election of the Main Board by the 1st regular trade union congress, the members of the Executive Main Boards/Board of the affiliated trade unions execute the tasks of the Main Board according to § 19 Numbers 6 and 7. In this period of time, the General Secretaries of the Chemical, Paper and Pulp and Ceramic Workers' Union and the Leather Workers' Union and the 1st Chairperson of the Mining and Energy Workers' Union act together as Executive Main Board according to § 20.
4. In deviation from § 25, the resolution committee for the 1st regular trade union congress in 1997 will consist of 11 members, with five of them coming from the Mining and Energy Workers' Union, five from the Chemical, Paper and Pulp and Ceramic Workers' Union and one member from the Leather Workers' Union. The resolution committee in said form will at the same time have the tasks of the statutes' committee according to § 23.
5. In deviation from § 17 Number 7, all the bodies of the affiliated trade unions are entitled to file motions who according to their respective statutes, do possess such a right to file motions.
6. The 1st regular trade union congress in 1997 will, for the first time, elect the Main Board and the committees according to §§ 19 to 24.
7. Until the end of the 1st regular trade union congress in 1997, the work of the bodies and elected collective bargaining commissions of the Mining, Chemical and Energy Industrial Union will take place within the affiliated unions.
8. For the period of time between the termination of the 1st regular trade union congress in 1997 and the 31 October 1998, the trade union work will be carried out as follows:
  - a) the lay members of the district and branch office boards of the Mining and Energy Workers' Union, the boards of the administration offices of the Chemical, Paper and Pulp and Ceramic Workers' Union and the boards of the district commissions of the Leather Workers' Union will become members in the newly to be built district boards until the time of elections.  
Up until elections, the members of the district boards from the three organisations represent the percentage of votes which results from the respective membership numbers of the three organisations in the district (analogue to Industrial Constitution Act (BetrvG) – central works council (GBR) / group works council (KBR))
  - b) Up until elections, the lay members of the state district boards will be sent by the districts in relation to the number of their members in the state districts. The appointment by the districts is done in accordance with the number of members of the membership organisations in the district. The Main Board establishes the number of lay members of the state district board. In doing so, the maximum number according to § 34 No. 2 d can be exceeded
  - c) local groups, groups of union representatives on the shop floor and collective bargaining commissions of the affiliated organisations that were formed according to the statutes will remain in place until the time of elections and will, from the termination of the 1st regular trade union congress onwards, become such bodies of the Mining, Chemical and Energy Industrial Union. The acting full-time officers will continue to act in their capacities for the Mining, Chemical and Energy Industrial Union without any transitional period
  - d) after the termination of the 1st regular trade union congress, the boards of the local groups and the union representatives on the shop floor will be newly elected by 1 May 1998 according to the stipulations of the present statutes and according to the guidelines
  - e) after the elections of the boards of the local groups and the elections of the union representatives on the shop floor and in accordance with the head of the state district the conference of district delegates will take place
  - f) after the conclusion of the conferences of district delegates in each state district, the conferences of state district delegates will take place by 31 October 1998
  - g) the tasks of the advisory board according to § 18 Number 4. a), c), e) and f) will be transferred to the Main Board up until the time when the conferences of state district delegates can elect the members of the advisory board for the first time. The tasks of the advisory board according to § 18 Numbers 4. b) and 5. will be, if applicable, transferred to an extraordinary trade union congress according to § 17 Number 4.
  - h) the formation of bodies of the staff groups is done after the termination of the 1st regular trade union congress in 1997. The rights of the staff group committees will be acted upon by the staff group committees of the affiliated organisations together during the transitional period.

#### Attachments

##### Organisational catalogue

##### I. Mining

This includes companies for prospecting, extracting, processing, manufacturing as well as distribution and sales of mineral resources.

*For example:*

Hard coal, lignite, pitch coal, crude oil, natural gas; gold, silver, metals of the platinum group, mercury, iron, lead, copper, tin, zinc, cobalt, nickel, arsenic, manganese, tungsten, molybdenum, vanadium, chromium, titanium, niobium, bismuth, antimony, germanium, magnesium, phosphor and sulphur – all natural and as ores –, uranium and thorium ores, noble earths, fluorspar and heavy spar, graphite, rock salt – solid or as brine, potassium salts, magnesium salts, asphalt, bituminous rock, clay, bleaching earth, bentonite, kaolin, feldspar, pegmatite sand, mica, quartz and quartzite, bauxite, French chalk, soapstone, kieselsguhr, peat, vitreous sand, gypsum, lime, calcareous spar, slate, dolomite, marble, basalt, basaltic lava, tuff, limestone, sandstone, gray wacke, trass and pumice stone, coloured ores and coloured clay.

##### II. Chemical industry

Generation, production, processing, refinement, distribution or sale

##### 1. Inorganic and organic chemicals and elements

*For example:*

Plants for nitrogen, oxygen, acetylene and carbonic acid; hydrogenation plants; salt refineries; electrochemical plants, fineries and industries producing metal the chemical way and further processing in the producer's plant; carbide, ferro-alloys, silicium compounds and carbon fibres; colouring earths, tar dyes and pigments; coal hydrogenation; coal by-products and other residues; production of fertilisers, soot, filling materials, charcoal, cylinder tar, acids of all kinds; saccharification of wood; research, development, production and use of biological agents of natural or genetic engineering background within biotechnical procedures.

##### 2. Nuclear chemistry

*For example:*

Development, production, reprocessing and disposal of fuel elements and fuels; production and processing of isotopes; renewable energies; research and use of thermal-solar, chemical-solar and biologically stored energy sources; hydrogen and synthesis gas production as well as application-specific conversion and storage.

##### 3. Synthetic fibres

*For example:*

Production of synthetic and artificial fibres including rayon and their processing, production and/or processing of carpeted floors of all kinds.

##### 4. Chemo-technical products

*For example:*

Soaps, detergents, cleansers and cleaning material; varnishes, paints, dyes and glazings; coloured crayons, pastel crayon and chalks; office material from chemical production; photographic grade chemicals, reproduction papers; production and use of sensitised material (i. e. polymer film) for the generation of images, masks or circuit diagrams; plates and films; data carrier materials (i. e. magnetic tapes and discs, discs, CDs) and materials for semiconductors and supraconductors; plant, seed and stored goods protectives; disinfectants and pesticides; distilled and technical oils and fats; manufactured edible fats from mineral substances; vegetable oils through extraction; vegetable oil refinery on chemo-technical field; stearin, paraffine, wax and candles; putty, glues and gelatine; chemical fodder concentrate; powder, explosives, pyrotechnical products; matches and other lighters; linoleum, balatum, PVC and others; friction and brake linings; foundry auxiliaries; scents and essences; extraction of natural substances; insulation materials of all kinds (felt roofing, roofing paper, noise and heat insulating roofing plates and boards and others), also in connection with natural materials such as cork, coconut fibres, flax, wood; chemical construction material; chemical building protective agents, wood preservatives and fire-proofing material, insulation material; technical film operations and copying works; impregnating works; asphalt processing; synthetic precious stones.

##### 5. Information technology

*For example:*

Data carrier materials and other information technology products and installations (magnetic tapes and discs, discs, CDs, data transfer devices, mobile telephones and others).

##### 6. Pharmaceutical products

*For example:*

Production of pharmaceutical preparations including herbal remedies; production of bandaging materials; surgical thread; medical tapes;

dental fillings, dental gypsum and similar products; medical products and devices; production of artificial limbs; nutrients and medication; production and processing of active ingredients for nutrients and medications.

7. Cosmetic products

*For example:*

products of hair care, skin care, dental care and oral hygiene, cosmetics, soaps and bath salts; perfumes, scents and hygiene substances and other products for personal hygiene.

III. Energy

This entails the companies for power generation and energy distribution.

IV. Crude oil and natural gas

Generation, production, processing, refinement, distribution or sale.

*For example:*

Processing of natural gas, crude oil and oil products, using distillation, refining, cracking, hydrogenation, oxygenation and processing of conversion products including the storage and company-own distribution, pipeline operating companies.

V. Glass

Manufacturing, production, processing, refining, distribution or sale.

*For example:*

**Sheet glass:** patent plate glass, cast glass, wire reinforced glass, coloured glass, mirror plate glass, float glass, special purpose glass, compound glass, insulating glass;

**hollow glass ware:** bottle glass, preserve jars, container glass, household glassware, medical and technical glass, glass instruments and devices, glass for lighting purposes, glass flasks, glass tubes, glass blocks, insulating bottles and containers; optical glass; fireproof glass; glass in rods, bars, globes; glass fibres (textile and non-textile); spun glass, glass wool and fibre glass, textile glass, multifilament products; small glass wares of all kinds; Gablonzer decorative wares; baked glass painting and glass printing, glass grinding, glass coating; glass home industry; glass ceramic products and glass compound materials; recycling of used glass.

VI. Rubber, synthetic caoutchouc and asbestos

Manufacturing, production, processing, refining, distribution or sale.

*For example:*

Production and processing of rubber and gutta-percha goods, rubber replacement substances, synthetic caoutchouc, latex; rubber insulations; rubber compounds with other materials; asbestos, asbestos replacement material production and processing; vulcanisation plants.

VII. Ceramic industry

Manufacturing, production, processing, refining, distribution or sale.

1. Fine ceramics

*For example:*

Body preparation for ceramic products; porcelain, earthenware, white stone ware and delftware; majolica ware; processing (upgrading) of fine ceramics, also in connection with other products; dental porcelain; clay products and pottery of all kinds; sanitary ware; ceramic wall and floor tiles, tiles, tile stoves and architecturally applied ceramics; horticultural ceramics; steatite and soapstone wares of all kinds; high-voltage and low-voltage material, technical and chemo-technical items; grinding wheels and other abrasive wheels; abrasive papers and fabrics; as well as other abrasive material; industrial ceramics, bio-ceramics and ceramic compound materials.

2. Coarse ceramics

*For example:*

**Ordinary stoneware:** tubes, sewage and stable articles, sanitary, acid-fast stoneware and chemo-technical stoneware;

**Fireproof products:** fireclay, fireproof cement and fireclay bricks, silica cement, silica ramming mass and bricks, magnesite cement and bricks, insulating bricks and wool as well as fireproof high-duty products; acidfast products of all kinds; brickworks products of all kinds; production or manufacturing of cement, trass, lime, dolomite, gypsum and chalk; concrete products and porous concrete goods: concrete pipes, blocks, slabs, concrete floors and stairs; asbestos cement goods of all kinds, lime sandstones of all kinds; pumice stone materials: pumice stones, floors, slabs; light building boards and artificial stones; asphalt (production); sand and gravel (extraction); mortar (production); Kieselguhr (extraction and processing); feldspar, quartzite, quartz, kaolin, clay and loam (extraction and processing); natural stones (extraction and processing); peat (extraction and processing); mills for quartz, glassings and sand; washing of clay, kaolin and sand.

VIII. Plastic and non-metallic materials

Manufacturing, production, processing, refining, distribution or sale.

*For example:*

Polyester, polythermides, polymers; polystyrenes, foamed materials, thermoplastics, duroplastics, elastomers; foils, celluloid, cellophane, casein plastics, glass-fibre reinforced artificial resins; processing of plastics for articles for commercial, technical or private use; injection moulding and moulding compounds, Plexiglas; plastic building components, plastic tubes, plastic closures; floorings, also the so-called textile floorings and wall claddings, imitation leather and patent cloth, shoe parts; packaging, foils; plastic articles of daily use, household items, buttons, combs; sport devices and toys; frames for glasses; drawing devices and office material.

IX. Leather; leather fibre materials

Manufacturing, production, processing, refining, distribution or sale.

*For example:*

plastics and poromeric materials, insofar these were produced in companies of leather productions; walking shoes, slippers, trainers, casual shoes and working shoes and sandals from leather or imitation leather, as well as accessories and parts form other materials; bag-maker materials, saddler materials, travel equipment, suitcases, outfitting articles for men and animals from leather, imitation leather on the basis of fabric or paper, plastics on a chemical basis (plastics etc.), patent cloth, textiles, cardboard, vulcanised fibre, raffia and straw; leather gloves, including gloves with textile upper parts; articles for worker's protection from leather or imitation leather; technical leather articles; furs (peltry improvement).

X. Paper industry

Manufacturing, production, processing, refining, distribution or sale.

1. Chemical pulp

*For example:*

Paper, board, cardboard, textile, artificial fibre, cellulose ether and cellulose ester.

2. Mechanical pulp

*For example:*

Paper, board, cardboard, paper machee, plates.

3. Straw pulp

4. Paper

*For example:*

Graphic papers: newsprint and magazine papers, coated papers, fine papers

Packaging papers: recycled paper, semi-chemical pulp paper, cellulose paper, greaseproof papers and kraft papers, grey chip papers; sanitary papers, cellulose wadding, toilet papers, tissue papers, refreshing tissue paper;

Technical papers: speciality papers, security and banknote papers, asbestos papers, oiled papers, coloured and fancy papers, filter papers, chrome and metal papers, transparent and drawing papers, crepe papers, corrugated papers, nonwoven fabrics, chemically laminated papers.

5. Boards and cardboards

*For example:*

Boards (coated and uncoated): folding boxboard, machine-made board, machine-made cardboard (straw board, lithographic board, and similar kinds), wet machine boards and handmade cardboard, corrugated board, waste based fluting and liner materials, corrugated board boxes; technical special boards: base boards, fine boards; pulp boards.

6. Paper, cardboard, paper machee, board or pulp boards, also in connection with natural or artificial materials

*For example:*

wood, cork, coconut fibres, metals, foamed materials or chemical products, even if the latter determine the use of the product or if paper, cardboard, board or cardboard machee do not outweigh the other materials.

XI. Environmental technology

Manufacturing, production, processing, refining, distribution or sale.

*For example:*

Research, development, production and application of new environmental technologies for the areas of waste disposal, reclamation of contaminated sites, soil conservation, protection of waters, air conservation; disposal of waste by biological, chemical, physical and thermal treatment; recycling of residual substances; pyrolysis of commercial and industrial waste including domestic waste.

XII. Water management

This includes all companies of extraction, preparation, processing, distribution and sale as well as water sewage treatment.

XIII. Utilities

Manufacturing, production, processing, refining, distribution or sale.

Table of membership dues

monthly income		monthly dues		monthly income		monthly dues	
from	to	active members	pensioners	from	to	active members	pensioners
DM	DM	DM	DM	DM	DM	DM	DM
	260,00	2,00	1,00	3390,01	3485,00	36,00	14,00
260,01	350,00	3,00	1,00	3485,01	3580,00	37,00	15,00
350,01	445,00	4,00	2,00	3580,01	3675,00	38,00	15,00
445,01	540,00	5,00	2,00	3675,01	3770,00	39,00	16,00
540,01	635,00	6,00	2,00	3770,01	3865,00	40,00	16,00
635,01	730,00	7,00	3,00	3865,01	3960,00	41,00	16,00
730,01	825,00	8,00	3,00	3960,01	4055,00	42,00	17,00
825,01	920,00	9,00	4,00	4055,01	4150,00	43,00	17,00
920,01	1015,00	10,00	4,00	4150,01	4245,00	44,00	18,00
1015,01	1110,00	11,00	4,00	4245,01	4340,00	45,00	18,00
1110,01	1205,00	12,00	5,00	4340,01	4435,00	46,00	18,00
1205,01	1300,00	13,00	5,00	4435,01	4530,00	47,00	19,00
1300,01	1395,00	14,00	6,00	4530,01	4625,00	48,00	19,00
1395,01	1490,00	15,00	6,00	4625,01	4720,00	49,00	20,00
1490,01	1585,00	16,00	6,00	4720,01	4815,00	50,00	20,00
1585,01	1680,00	17,00	7,00	4815,01	4910,00	51,00	20,00
1680,01	1775,00	18,00	7,00	4910,01	5005,00	52,00	21,00
1775,01	1870,00	19,00	8,00	5005,01	5100,00	53,00	21,00
1870,01	1965,00	20,00	8,00	5100,01	5195,00	54,00	22,00
1965,01	2060,00	21,00	8,00	5195,01	5290,00	55,00	22,00
2060,01	2155,00	22,00	9,00	5290,01	5385,00	56,00	22,00
2155,01	2250,00	23,00	9,00	5385,01	5480,00	57,00	23,00
2250,01	2345,00	24,00	10,00	5480,01	5575,00	58,00	23,00
2345,01	2440,00	25,00	10,00	5575,01	5670,00	59,00	24,00
2440,01	2535,00	26,00	10,00	5670,01	5765,00	60,00	24,00
2535,01	2630,00	27,00	11,00	5765,01	5860,00	61,00	24,00
2630,01	2725,00	28,00	11,00	5860,01	5955,00	62,00	25,00
2725,01	2820,00	29,00	12,00	5955,01	6050,00	63,00	25,00
2820,01	2915,00	30,00	12,00	6050,01	6145,00	64,00	26,00
2915,01	3010,00	31,00	12,00	6145,01	6240,00	65,00	26,00
3010,01	3105,00	32,00	13,00	6240,01	6335,00	66,00	26,00
3105,01	3200,00	33,00	13,00	6335,01	6430,00	67,00	27,00
3200,01	3295,00	34,00	14,00	6430,01	6525,00	68,00	27,00
3295,01	3390,00	35,00	14,00				

For a monthly income of more than DM 6525,00, the monthly dues of active members are increased by DM 1,00 for every DM 95,00. Retired members pay 4/10 of the dues for active members according to the extended table.

**Fidelity bonus**

The claims acquired according to § 31 of the statutes of the Chemical, Paper and Pulp and Ceramic Workers' Union and to Attachment B of the statutes of the Leather Workers' Union will stay with the members going over into the IG BCE. Details are regulated in the manual entitled "Assistance".

**Survivor's assistance**

The claims acquired according to § 16 of the statutes of the Mining and Energy Workers' Union, according to § 32 of the statutes of the Chemical, Paper and Pulp and Ceramic Workers' Union and to Attachment C (excluding Number III) of the statutes of the Leather Workers' Union will stay with the members going over into the IG BCE. The calculation will be done on a unified basis for all transferred members according to § 32 of the statutes of the Chemical, Paper and Pulp and Ceramic Workers' Union. Details are regulated in the manual entitled "Assistance".