CONSTITUTION OF SATUCC

1. NAME OF THE UNION

The name of the union shall be South African Trade Union of Call Centers, referred to as (SATUCC), with its Logo below.



2. DEFINITIONS

Any expression used in this constitution, and which is defined in the Labor Relations Act, 1995 (Act no. 66 of 1995), shall have the same meaning as in the Act.

3. STATUS OF THE UNION

This trade union shall be a body corporate with perpetual succession capable of entering contractual and other relations and if suing and being sued in its own name and shall be an organisation not for gain.

4. AIMS AND OBJECTIVES SATUCC

1. To regulate relations between employees and employers, including any employer's organisation in the workplace.
2. To promote the interest of its members.
3. To plan and organize its administration and its lawful activities.
4. To affiliate with and participate in the affairs of any international worker's organisation or the International Labor Organization (ILO).
5. To promote, support, or oppose any proposed legislation or other measures affecting the interest of its members.
6. To use every legitimate means to induce employees to become its members.
7. To provide legal assistance to members in connection with their employment.
8. To establish and administer funds for the benefit of its members and their dependents.
9. To encourage the settlement of disputes between members and employers or employer's organisations by conciliation, mediation or arbitration.

10. To do such lawful things as may appear to be in the interest of the trade union and its members, given that they are not inconsistent with the aims and objectives of the union, or any matter specifically provided for in this Constitution.
11. To borrow, invest, lend, subscribe or donate money for the furtherance of the objectives of the union.

5. MEMBERSHIP

1. Any employee in the Republic of South Africa, working in a call center shall be eligible for membership of the trade union. A call center refers to any physical or virtual office of call center professionals receiving inbound or transmitting outbound calls and or using any communication platform to interact with customers.
2. Applications for admission or readmission to membership together with R65 monthly membership fee shall be lodged in writing with the secretary.
3. Every application for membership shall be considered by the branch executive committee within weeks of receipt thereof by the secretary.
4. An applicant to whom admission to membership is refused shall be provided with reasons for such refusal and shall be entitled to a refund of the membership fee paid on application.
5. If admission to membership is refused by the executive committee, the applicant concerned shall have a right to appeal to the next general meeting, which shall have the power to confirm or reverse the decision of the executive committee. Such an appeal shall be in writing and shall be submitted to the secretary at least two weeks before the general meeting. The general meeting decision shall be final.
6. Every member shall notify the secretary, in writing, of his/her change of address and any change thereof within 14 days of the date on which the change occurred.
7. An employee who has resigned or expelled from the union may be readmitted to membership on such conditions as the executive committee may determine.

6. MEMBERSHIP FEES

1. A membership fee of R65 per month shall be payable by each member of the trade union. The fee shall be paid monthly in advance to the bank account of the union that is provided by the general secretary.
2. In addition to the membership fee a member shall also be liable for the payment in the same manner of such other fees as may be prescribed in terms of the rules governing any fund established in terms of clause 4 (8).
3. A member shall be exempt from the payment of the aforementioned membership fee in respect of any month during which he/she is-
    a) Unemployed for 30 or more days
    b) Unable to work for 30 or more days on account of illness.

7. DISCIPLINE

1. A member may be suspended, fined or expelled as may be determined by the executive committee.
    a) If he/she fails within 30 days of demand in writing by the secretary to pay membership fees, fines or levies which are more than 3 months in arrears.
    b) If he/she infringes any of the terms of this Constitution or acts in a manner which is detrimental to the interest of the union.
    c) Provided that there shall be a right of appeal against suspension, the imposition of a fine or expulsion, to the first ensuing general meeting. Notice of any such appeal shall be given to the secretary in writing within 14 days of the date on which the decision of the executive committee was communicated to the member concerned.
2. No member may be suspended, fined or expelled unless he/she has been afforded an opportunity to state his/her case personally at a meeting of the executive committee, of which he/she has received, not less than 7 days' notice in wiritng form the secretary. The matter with which the member is charged shall be set out in such notice.
3. A member who has appeared before the executive committee in accordance with subclause (2) shall, if he/she is dissatisfied with the decision of the committee

lodge an appeal in the manner herein provided, have the right to restate his/her case personally to the general meeting which shall consider the matter.

4. A member shall be entitled to call witnesses in support of his/her case when attending a meeting of the executive committee or a general meeting in terms of subclause (2) or (3), as the case may be.
5. Any decision taken by the executive committee in terms of this clause shall, when an appeal has been lodged, be subject to ratification or otherwise by a general meeting.
6. Upon expulsion of a member, all monies due to the union by such member shall become payable. If payment thereof is not made within 30 days, the executive committee may take such steps as it deems necessary to secure settlement.
7. A member shall cease to be entitled to any of the benefits of membership, including the right to vote,
    a) If the membership fees or other charges due by him/her to the union are more than 3 months in arrears.
    b) During any period while he/she is under suspension in terms of this Constitution; and
    c) If she /he ceases to be employed in the call center industry.

8. TERMINATION OF MEMBERSHIP

1. A member may resign by giving one moth's notice in writing to the general secretary; provided that no resignation shall take effect until all monies due to the union by the member concerned have been paid.
2. A member whose membership fees are more than 3 months in arrears shall automatically cease to be a member of the union. Such person shall, however, be liable for all monies due to the union as at the date on which he/she ceased to be a member of the union.

9. MEETINGS

1. National Congress

a) The supreme governing body of the trade union shall be the national congress, which shall consist of the executive committee and a minimum of 50% of the union members entitled to vote.

b) The national congress shall be convened once every 2 years; provided that the executive committee may decide to convene the national congress anytime it deems necessary. Notice of its convocation shall be communicated by the general secretary to the members at a minimum of two months before it is held.

c) Resolutions from members shall be sent to the general secretary and shall reach his/her office no later than 4 weeks prior to the national congress. Copies of the resolutions and of the national congress agenda shall be distributed to all members by the general secretary no less than 14 days prior to the national congress.

d) The business of the national congress shall primarily be:

   I. The nomination and election by ballot of members of the executive committee.
   II. The considerations of reports from the president, general secretary, treasurer and other special reports.
   III. The formulation of policy.
   IV. The discussion of matters as per the agenda and,
   V. The considerations of appeals.

e) The president or, in his/her absence, the vice president or, in the latter's absence, a person appointed by the executive committee, shall preside over the proceedings at the national congress.

f) Resolutions of the national congress shall be adopted by majority vote of voting delegates. Voting on a resolution shall be by show of hands unless the national congress decides otherwise. The president or other presiding person shall have a casting vote only.

g) Candidates for the position of office-bearers and officials on the executive committee shall be nominated and seconded by members with voting rights at the national congress.

h) Should there be only one candidate for a position, that candidate shall be regarded as having been dully elected to that position. Should there be two candidates, a ballot of delegates shall be held and the candidate who receives more votes shall be duly elected.

i) Should there be three or more candidates, three or more ballots shall be held so that the candidates who receives the least amount in each ballot shall be eliminated from the next ballot.

j) A special national congress shall be convened by the president whenever the executive committee requisites one, or whenever at least 30% of members request so in writing.

k) The requisition by members for a special national congress shall be sent to the general secretary at head office and shall be accompanied by a statement setting out the reason for such requisition. The general secretary shall convey the requisition to the president as soon as possible.

l) Should reasons of urgency be given in the notice, the president may authorize the calling of a special congress at short notice, being not less than 7 days. Members shall be notified by the general secretary of the convocation and agenda of a special national congress as soon as possible and by the best practical means.

m) The quorum at the national congress shall be at least 50% of the members entitled to vote.

2. Executive committee.

a) The executive committee shall ordinarily meet at least once every two months on a date to be fixed by the president. Special meetings of the executive committee shall be called by the president whenever he/she deems it advisable or upon a requisition signed by not less than 30%

members of the committee, in which event, the meeting shall be called within 14 days of receipt of the requisition by the president.

b) Members of the executive committee shall be notified in writing of the time and place of meetings by the general secretary at least 7 days before the date of such meeting; provided that shorter notice, being not less than 24 hours, may in the discretion of the president be given in respect of special meetings. To every notice of meeting an agenda shall be attached. Unless otherwise provided herein, all matters for consideration by the executive committee shall be decided on motion duly seconded and voted upon by show of hands.

c) The quorum for meetings of the executive committee shall be 51% members. If within 30 minutes of the time fixed for any meeting a quorum is not present, the meeting shall stand adjourned to the same day in the following week, if that day is a public holiday, then, to the next succeeding working day, at the same time and place, and at such an adjourned meeting the members present shall form a quorum. Written notice of such adjourned meeting shall be given to the members who were absent from the first meeting.

d) If between meetings of the executive committee any questions arise which is of extreme urgency and can be answered by plain “yes” or “no”, the president may authorize a vote of the members of the committee to be taken by post.

e) No motion shall be considered unless seconded. All matters forming the subject of motions shall be voted upon by show of hands (unless otherwise provided) and shall be decided by votes of the majority of those present.

3. Minutes

The general secretary of the union or a person appointed by him/her shall keep minutes of all meetings of the executive committee and of the national congress.

10. THE FUNCTIONS OF THE EXECUTIVE COMMITTEE

1. The management of the affairs of the union between national congresses shall be vested in an executive committee consisting of the president, the vice president and

other members of the union who shall be elected by ballot of members of the union at the national congress and who shall hold office for two years and thereafter until the next election, and they shall be eligible for re-election when their term in office lapses.

2. Vacancies occurring on the executive committee shall be filled by a ballot of the members of the union. A member appointed to fill a vacancy shall hold office for the unexpired portion of the period of office of her/his predecessor.
3. Nominations for membership of the executive committee shall be lodged in writing by members with the general secretary at least one month prior to the national congress. Where a vacancy occurs on the executive committee, the members shall be notified in writing of such vacancy by the general secretary within 2 weeks of the date on which the vacancy occurred.
4. The nomination of members to fill such a vacancy shall be lodged in writing with the general secretary within one month of that date and a ballot shall be taken within two months of that date. A member elected to fill a vacancy shall hold office for the unexpired portion of the period of his/her predecessor.
5. A member of the executive council shall vacate his/her seat in any of the following circumstances:
    a) On resignation, suspension or expulsion from the membership of the union.
    b) On absenting himself/herself, without the permission of the executive committee on three consecutive meetings of the committe.
    c) On resigning as a member of the executive committee by giving one moth's written notice to the general secretary.
    d) If his/her subscription are more than 3 months in arrears; or
    e) If he/she ceases to be employed in the call center industry.
6. The executive committee, shall, subject to the provisions of this Constitution have power to:

a) Recommend the union's participation in the establishment of bargaining or statutory council and, subject to the constitution of any bargaining or statutory council, to determine the trade union's representation thereon.
b) Engage and dismiss, except where otherwise provided for in this Constitution, any employees of the union, including a general secretary, to fix their remuneration and to define their duties.
c) Appoint, from time to time, such committees as it may deem fit for the purpose of investigating and reporting on any matter referred to them by national congress.
d) Review decisions of sub-committees, and to confirm, alter, or reverse such decisions.
e) Institute legal proceedings on behalf of or to defend proceedings against the union.
f) Acquire, either by purchase, lease or otherwise, any movable or immovable property on behalf of the union, and to sell, let, mortgage, or otherwise deal with or dispose of any movable or immovable property belonging to the union.
g) Provided that no immovable property shall be acquired or sold, nor shall it be mortgaged let or leased for a period longer than 10 years, unless a notice of the intention to do so has been given to each member of the union by the general secretary four weeks prior, if during this period, not less than 50% of the members demands that a ballot of the whole union be taken on the proposed action, such ballot shall be taken.
h) Institute legal proceedings on behalf of or to provide legal assistance to members on matters affecting their employment and to institute legal proceedings against individual members.
i) Open and operate a banking account in the name of the union
j) Make and enforce by-laws relating to procedural, administrative and disciplinary matters which are not inconsistent with the provisions of this

Constitution, the Labor Relations Act, 66 of 1995, or any other law of the Republic of South Africa.

k) Decide all matters of procedure on which this Constitution is silent.

l) Do such other lawful things as in the opinion of the executive committee, appear to be in the interest of the union or its members and which are not inconsistent with the aims and objectives set out in clause 4 or any matter specifically provided for in this Constitution, and

m) Consider appeals.

11. OFFICE-BEARERS.

1. President.

a) The president shall preside at all meetings at which he/she is present, enforce observance of the Constitution of the union, sign minutes of meetings after confirmation, endorse all accounts for payment after approval by the executive committee, sign all cheques on the banking account of the union, generally exercise supervision over the affairs of the union and perform such other duties as by usage and customs pertaining to the office. He/she shall not have a deliberate vote, but shall, in the event of an equality of votes, have a casting vote.

2. Deputy President/ Vice President.

a) The vice-president shall exercise the powers and perform the duties of the president in the absence of the latter.

3. Acting Present.

a) In the event of both the president and the vice president being unable, either temporarily or permanently, to perform their duties, the executive committe shall appoint a member of the union to act as president, who shall hold office until the president or vice president is able to resume his/her duties or,

b) In the event of the president and vise president being permanently unable to perform their duties, until a new president or vice president has been elected at the national congress.

12. OFFICIALS

1. General Secretary.
    a) The general secretary shall receive requisitions for meetings of the national congress and the executive committee, issue notice of meetings, conduct all head office correspondence of the union, keep originals of letters received and copies of those dispatched, and in each meeting of the national congress or executive committee lay on the table correspondence which has taken place since previous meeting.
    b) Attend all national congress and executive committee meetings and record minutes of the proceedings, issue official receipt for all monies received; submit reports in regard to the financial position of the union to the national congress and to the executive committee not less than once every 6 months.
    c) Represent the union at the commission and perform such other duties as are imposed by the Constitution or at the national congress and as the executive committee may direct.
    d) He/she shall attend all meetings of the executive committee but shall not have a voting right at such meetings.
    e) The general secretary may resign on giving one month notice in writing to the executive committee and his/her services may be terminated on a similar notice being given to her/him by the committee.
    f) The contract of service of the general secretary shall be in writing.
2. Deputy General Secretary.
    a) The executive committee may appoint a deputy secretary who shall assist the general secretary in the execution of his/her duties. Should the general secretary temporarily be unable to perform his/her duties, the

assistant secretary shall act as a general secretary until such time he/she is able to resume his/her duties.

b) The provisions of clause 12.1(a), (b), (c), (d), (e), shall *mutatis mutandis* apply to the deputy secretary.

3. Treasure.

a) The treasure shall perform the duties imposed on him/her by section 98, 99 and 100 of the Labor Relations Act, 66 of 1995, relating to the keeping of records and the furnishing of information to the Registrar.

13. TRADE UNION REPRESENTATIVES

1. The trade union representatives shall implement and give effect to the decisions of the national congress and the executive committee, recruit members and generally promote the interest of union members, represent members in matters before the Commission and collect membership fees.
2. In terms of section 14(4) of the Labor Relations Act, 66 of 1995, the union representative shall:

a) At the request of an employee in the workplace, assist and represent the employee in grievance and disciplinary proceedings.

b) Monitor the employer's compliance with any law regulating terms and conditions of employment.

c) Report any alleged contravention of any law regulating terms and conditions of employment to the employer, trade union, or any responsible authority or agency, and

d) Perform any other functions as the executive committee may direct.

14. ESTABLISHMENT AND CONTROL OF TRADE UNION REPRESENTATIVE COUNCIL.

1. A trade union representative council my be established in any workplace where the union has no less than 51% members.

2. Application for the establishment of a trade union representatives council shall be made in writing to the executive committee by not less than 10 members in the workplace concerned.
3. If the executive committee approves of the establishment of a union representative council, the secretary shall notify the members from which the application has been received and arrange for the inaugural meeting.
4. At this meeting, nominations for membership of the of the executive committee of the union representative council shall be called and the election shall take place by ballot, the executive committee shall consist of a chairperson, vice chairperson, secretary and additional members as may be decided by the meeting.
5. Generally, the union representative council shall meet once a month and may be convened by the executive committee whenever necessary.
6. The main duties of the union representative council shall be to implement and give effect to decisions of the national congress, executive council or the branch executive committee. Recruit members and promote their interests, investigate complaints from members in their workplace, represent members on the Commission.

15. REMOVAL OF OFFICE-BEARERS, OFFICIALS AND UNION REPRESENTATIVES

1. An office-bearer, official, or union representative may be removed from office,
    a) If he/she infringes any of the provisions of this Constitution; and,
    b) If he/she acts in a manner which is detrimental to the interest of the union.
2. No office-bearer, official, or trade union representative may be removed from office unless he/she has been afforded an opportunity to state his/her case personally at a meeting of the executive committee.
3. An office-bearer, official, or trade union representative who has appeared before the executive committee and who is dissatisfied with the decision of the body concerned, shall have the right to appeal to the next congress of the union.

4. The appeal shall be noted in the agenda of the national congress and the national congress may reverse the decision of the executive committee and the decision of the national congress shall be final.

16. BALLOTS

1. Decisions in the union may be made in the following manner:
    a) By show of hands,
    b) By ballot or
    c) By email ballot
2. Voting by show of hands.
   In the normal cause of events all decisions in the union will be made by way of show of hands of the members entitled to vote on such matter. The relevant structure shall be bound to take action according to the decision of a majority of members voting by show of hands.
3. In addition to those cases in respect of which the taking of a ballot of members of the whole trade union is compulsory in terms of this Constitution, a ballot on any question shall be taken if the executive committee so decides, and shall also be taken if-
    a) Demanded in writing by not less than 10% of the members of the union or any recognized structure of the union or
    b) On any proposal to declare or take part in any strike, in which event a strike ballot shall be held.
4. Ballots shall be conducted in the following manner:
    a) Notice of a ballot shall be given to each member in writing by the secretary, at least three days before the ballot is to be taken, provided that a ballot may be taken without notice at any general meeting on the decision of a majority of the members present.
    b) Two independent scrutinizers shall be appointed by the executive committee or the congress to supervise any ballot and to ascertain the results thereof.

c) Ballots shall be taken at any general meetings on the decisions of a majority of the members present, ballots shall be conducted at any office of the union or at such other venue as may be specified in the notice referred to in clause 16 (4)(a), on the date specified and during the hours specified in the relevant notice.

d) Ballots shall be prepared and supplied by officials of the union appointed for such purposes by the general secretary. The issue to be voted upon shall be set forth clearly on the ballot papers and such papers shall not contain any information which will make it possible to identify the voter.

e) Ballot boxes shall be inspected by the scrutinizers and sealed by the general secretary in their presence prior to the issuing of ballot papers.

f) One ballot paper only may be issued to a member who is entitled to vote. The ballot paper shall be issued on demand at the place and during the hours fixed for the taking of the ballot.

g) Each voter shall, in the presence of the scrutinizers, be issued with one ballot paper which he/she shall thereupon, in secret, complete, fold and deposit at the ballot box provided for the purpose.

5. The executive committee may decide that an email ballot of members shall be taken. In which event the ballot shall be conducted in the following manner,

a) The general secretary shall send ballot papers by registered email to each member of the union. Where an email ballot is taken, the vote of each member must reflect the email address of the member concerned.

b) Two scrutinizers shall be appointed by the executive committee to ascertain the results of the ballot. The ballot box shall be opened and ballot papers counted by the scrutinizers in the presence of the general secretary, who shall immediately advise the executive committee of the results of the ballot.

6. In any ballot conducted in connection with the election of candidates, up to the required number, receiving the highest number of votes shall be declared elected

7. The national congress or the executive committee shall be bound to take action according to the decision of the majority of members voting in a ballot.
8. The trade union, shall, before calling a strike, conduct a ballot of those of its members in respect of whom it intends to call a strike.
9. Notwithstanding anything to the contrary contained in this Constitution, members of the union shall not be disciplined or have their membership terminated for failure or refusal to participate in a strike if,
    a) No ballot was held about the strike or
    b) A ballot was held but a majority of the members who voted did not vote in favor of the strike.

17. FINANCES

1. The funds of the union shall be applied to the payment of expenses, to the acquisition of property, towards the attainment of aims and objectives specified in clause 4 and for such other lawful purpose as may b decided upon by the national congress or the executive committee or by members voting by ballot for the attainment of the aims and objectives of the union.
2. Payments shall require prior approval of the executive committee and shall be made by cheque signed by the president and the general secretary, except when the amount in question is less than R500, when payments may be made from petty cash. In the absence of the president or general secretary, cheques shall be signed by a member of the executive committee appointed for that purpose.
3. Statements of income and expenditure reflecting the financial position of the union shall be prepared quarterly by the secretary and submitted to the executive committee. The general secretary shall also be responsible for furnishing the national congress with the union's lates financial statements.
4. In accordance with the provisions of section 98 (1) (b) of the Labor Relations Act, 66 of 1995, the general secretary shall prepare a statement of income and expenditure and a balance sheet in respect of each financial year ending on 28 February. Such

statements and balance sheet shall be audited and dealt with as required by section 98 (2) of the Act.

5. Legal and other professional expenses shall be borne by the union.
6. A member who resigns or is expelled from membership of the union shall have no claim on the funds of the union.
7. The executive committee shall, subject to confirmation by the national congress, have the power to invest surplus union monies in such a manner that the union stands to benefit from the investments.

18. REPRESENTATION ON BARGAINING AND SATUTORY COUNCILS

1. The executive committee may at any time recommend that the union shall become a party to a bargaining or statutory council established in terms of the Labor Relations Act, 66 of 1995.
2. Representatives and their alternates shall be appointed by the executive committee.
3. Representatives or their alternates on a bargaining or statutory council my be removed by the national congress and may resign on giving on month notice to the executive committee or such notice as may be prescribed in the constitution of the committee concerned.
4. In the event of the resignation or death of a representative or an alternate or his/her removal by the national congress, the vacancy shall be filled by the executive committee.
5. Representatives or their alternates shall have full power to enter into agreements on behalf of the union, and such agreements shall not be subject to ratification by the executive committee or national congress.

19 WINDING-UP

1. The trade union shall be wound up if at a ballot conducted in the manner prescribed in the Constitution, not less than three-fourths of the total of the number of members of the union vote in favor of a resolution that the ogarnisation be wound up.

2. If the resolution for the winding-up of the union has been passed or if for any reason the union is unable to continue to function, the following provisions shall apply:
    a) The last appointed president of the union, or if he/she is not available, the available members of the last appointed executive committee of the union, shall forthwith transmit to the Labor Court a statement signed by him/her or them setting forth the resolution adopted or the reasons for the trade union's inability to continue to function, as the case may be, and request the Labor Court to grant an order in terms of section 103 of the Labor Relations Act, 66 of 1995.
    b) The liquidator appointed by the Labor Court shall call upon the last appointed office-bearers of the union to deliver to him/her the union's books of accounts showing the assets and liabilities together with the register of members showing; for the 12 months prior to the date on which the resolution for winding-up was passed or to the date on which the trade union was unable to continue to function, as the case may be, the membership fees paid by each member and his/her address as at the said date.
    c) The liquidator shall take the necessary steps to liquidate the debts of the union from its unexpected funds and any other monies realized from any assets of the union, and if the said funds and monies are insufficient to pay all creditors after the liquidator's fees and the expenses of winding-up have been met, the order in which creditors shall be paid shall be the same as that prescribed in any law for the time being in force relating to the distribution of the assets of an insolvent estate, and the liquidator's fees and the expenses of winding-up shall rank in order as that of an insolvent estate and as though the expenses were the costs of sequestration of an insolvent estate.
    d) After the payment of all debts in accordance with clause 19 (2)(c), the remaining funds, if any, shall be distributed among the remaining

members of the trade union on the basis of membership fees actually paid during the 12 moths prior to the date of dissolution.

e) After the payments of all liabilities, any assets that cannot be disposed of in accordance with the provisions of this clause shall be realized by the liquidator and the proceeds paid to the Commission for Conciliation, Mediation and Arbitration (in accordance with section 103 (5) of the Labor Relations Act, 66 of 1995).

f) The liability of members shall, for the purpose of this clause be limited to the amount of membership fees due by them to the trade union in terms of this Constitution as at the date of dissolution.

20. CHANGING OF THE CONSTITUTION

1. Any of the provisions of this Constitution may be repealed, changed or added to in any manner by resolution of the executive committee of the union, provided that at least 14 days' notice of any proposed changes(s) shall first have been given to members. If within that period, 30% members demands that a ballot of the whole union be taken on the matter, such a ballot shall be taken.
2. No changes or additions shall have any force or effect until certified in terms of section 101 (3) of the Labor Relations Act, 66 of 1995.



LUTHANDO TSHAKA (PRESIDENT)

17.09.2025

DATE



SIVUYILE MNYAKWE (GENERAL SECRETARY)

17.09.2025

DATE